
MINUTES OF THE PROCEEDINGS

OF

THE COUNCIL

**OF THE
CITY OF PITTSBURGH
FOR THE YEAR
1994**

VOLUME 128-A

R E S O L U T I O N S T A B L E O F C O N T E N T S

ADDRESSES AND REMARKS.....	1
Cohen, Dan.....	2
Cusick, Joseph.....	9
Darkins, Duane.....	13
Ferlo, Jim.....	13
Hertzberg, Alan.....	27
McDonald, Valerie.....	34
O'Connor, Bob.....	34
Onorato, Dan.....	39
Ricciardi, Gene.....	44
Smith, Christopher.....	49
COMMUNICATIONS.....	52
MOTIONS.....	58
Acceptance.....	58
Adopt.....	58
Amend.....	58
Appointment.....	59
Budget.....	59
Defeated.....	60
Deletion.....	60
Held Legislation.....	60
Interview.....	60
Letter Sent.....	60
Miscellaneous	64
Nomination.....	64
Override.....	64
Recess.....	65
Recommit.....	65
Study.....	67
Televiser.....	67
Untable.....	67
ORDINANCES.....	68
Title One - Administration.....	68
Title Two - Fiscal.....	68
Title Four - Public Places and Property.....	69
Title Five - Traffic.....	69
Title Six - Conduct.....	70
Title Seven - Business Licensing.....	71
Title Eight - Fire Prevention.....	72
Title Nine - Zoning.....	72
Title Ten - Building.....	75
Business Improvement District.....	76
Referendum Question.....	76
AGREEMENTS.....	77
ADDITIONAL BENEFITS.....	92
ADOPTING SEWAGE FACILITY.....	92

ALLEGHENY COUNTY.....	92
AMNESTY PROGRAM.....	92
APPLICATIONS.....	92
APPOINTMENTS.....	94
Re-Appointments.....	98
ASPHALT.....	99
BOARD OF REVIEW.....	99
BOND.....	99
BUDGET.....	99
CABLE RATES.....	101
CARBON MONOXIDE DETECTORS.....	101
CHANGING NAME.....	102
CITY COURT.....	102
COMMUNITY CONFERENCE.....	102
COMMUNITY DEVELOPMENT STATEMENT.....	102
CONDITIONAL USE.....	103
CONTRACTS.....	104
DEPOSITORIES.....	107
DEVELOP MAP.....	107
DISPOSITION CONTRACT.....	107
EASEMENT.....	108
ENCROACHMENT.....	108
FEES.....	113
GRANT.....	113
HISTORIC STRUCTURE.....	115
HOUSING.....	115
HUNGER TRUST FUND.....	115
JOINDER.....	115
LEASE/LICENSE.....	115

MISCELLANEOUS.....	117
OBLIGATION BONDS.....	117
OFFICIAL SEWAGE PLAN.....	117
OPEN ACCOUNT.....	118
PERMIT PARKING.....	118
PETITION.....	118
PITTSBURGH PARTNERSHIP.....	119
PROPERTY.....	119
PUBLIC AUCTION.....	125
PURCHASE.....	125
READ AND ADOPTED.....	125
All Members.....	125
Dan Cohen.....	125
Joseph Cusick.....	127
Duane Darkins.....	129
Jim Ferlo.....	130
Alan Hertzberg.....	132
Valerie McDonald.....	134
Bob O'Connor.....	135
Dan Onorato.....	137
Gene Ricciardi.....	139
Christopher Smith.....	141
RECOMMIT.....	145
REPEALING.....	145
REPORT.....	145
RESIDENTIAL PARKING PERMIT.....	145
REWARD.....	146
RIVERVIEW.....	146
RULES OF COUNCIL.....	146
SECURITY FIRM.....	146
SEWAGE FACILITY.....	146
STUDY.....	147
TAX AND REVENUE ANTICIPATION NOTES.....	147

TCI.....	147
TRANSFER OF FUNDS.....	148
TRUST FUNDS.....	156
URA.....	156
VACATIONS.....	157
WARRANTS.....	158

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
All Members	Discussion - Bill 593 - "An Ordinance amending the Pittsburgh Code Title One-Administrative, Article VII-Procedures, Chapter 161-Contracts, by adding a new Subchapter 161.26-Automobile purchase and lease contracts	886
All Members	Discussion on the Appointments of Cliff Mekell and Cynthia Esser to the Planning Commission (COMMENTS)	1374
All Members	Discussion Bill 960 - Resolution incurring lease rental debt in an aggregate principal amount not to exceed Six Million Eight Hundred Ten Thousand Dollars, (\$6,810,000) by entering into supporting agreements with the Public Auditorium Authority of Pittsburgh and Allegheny County	1318
All Members	Bill No. 618 - Agreement between the City of Pittsburgh and Carnegie Mellon University, granting to Carnegie Mellon University, the right to construct and maintain a building over a sewer line of the City of Pittsburgh on property owned by Carnegie Mellon University, 14th Ward (REMARKS)	997
All Members	Discussion - Bill No. 681 - Approving borrowing of the Urban Redevelopment Authority of Pittsburgh for the purpose of providing funds for the Business Reinvestment Fund to provide a working capital loan to Pittsburgh Baseball, Inc.	1002
All Members	Discussion - Bill 1366 - Resolution authorizing the City of Pittsburgh to submit grant applications and execute relevant agreements to the Pennsylvania Department of Community Affairs under the provisions of the Keystone Recreational Park and Conservation Fund (COMMENTS)	1780
All Members	Discussion on interviews with appointees to the Housing Authority Board (Comments)	380
Ashely, Eugene	Leading Council's meeting of September 7, 1994 in the Pledge of Allegiance	1226
Askew, Shalon	Leading City Councils Meeting of February 1, 1994 in the Pledge of Allegiance	86
Band Member	Acceptance Bill No. 9 - Recognizing the 3-5 Community Advocates, recognizing Westinghouse High School Band	24
Blakey, Kim	Leading council's meeting of May 9, 1994 in the pledge of allegiance	722
Bogus, Dan	Leading City Council's Meeting of February 1, 1994 in the Pledge of Allegiance	187
Bole, Anastasia	Leading Council's meeting of October 25, 1994 in the Pledge of Allegiance	1527
Bradshaw, Michael	Leading City Council's Meeting of January 18, 1994 in the Pledge of Allegiance	45

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Cassidy, Ryan	Leading Council's Meeting of December 20, 1994 in the Pledge of Allegiance	1833
Cavanaugh, Shanna	Leading Councils Meeting of March 15, 1994 in the Pledge of Allegiance	317
Chakowski, Patrick	Leading City Council's meeting of January 11, 1994 in the Pledge of Allegiance	19
Cohen, Dan	Accepting the nomination as President Pro Tem	730
Cohen, Dan	City of Pittsburgh Residents throughout several neighborhood are experiencing water difficulty	745
Cohen, Dan	Commending Councilman Hertzberg for his innovative legislation which would increase the pool of candidates of Life Guards	298
Cohen, Dan	Commending Councilman Cusick on his initiative with the expansion of Phillips Park.	1578
Cohen, Dan	Commending Dan Onorato and Joe Cusick for their involvement with the Envirotest issue	1368
Cohen, Dan	Comments on Bill No. 87, Playground Hazard Analysis (REMARKS)	222(a)
Cohen, Dan	Congratulating Linda Johnson-Wasler as the first woman to serve as City Clerk, in the City of Pittsburgh	109
Cohen, Dan	Congratulating Valerie McDonald as the newly elected member of Council, representing District 9	1685
Cohen, Dan	Declaring the Month of October 1994 as The Western Pennsylvania Hospital Cot Club Month in the City of Pittsburgh	1354
Cohen, Dan	Discussion - Bill 568 - Warrant Pittsburgh Pro Bicycles - \$1,248.00	773
Cohen, Dan	Discussion, Proclamation, Graffiti Removal	147
Cohen, Dan	Discussion - Bill 310, Joining the Coalition for Safe Jobs and the Service Employees International Union in endorsing the Comprehensive Occupational Safety and Health Reform Act	341
Cohen, Dan	Discussion - TCI	299
Cohen, Dan	Discussion - Agreement for contracts for construction of a Pedestrian Walkway from Three Rivers Stadium to Point State Park (REMARKS)	943
Cohen, Dan	Discussion - Appointment of C. Lu Conser, Sandra Glass, Barbara Jean Sampson, and Chuck Honse to the City of Pittsburgh's Human Relations Commission	1150
Cohen, Dan	Discussion - Appointment of John Hanna as Director of Water (REMARKS)	648

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Cohen, Dan	Discussion - Article in Pittsburgh Business Times, regarding MK Rail Corporation	633
Cohen, Dan	Discussion - Asphalt Resurfacing Program	324
Cohen, Dan	Discussion - Bill 1006 - Ordinance amending the Pittsburgh Code, Title 9, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 12 and Map No. 17, by changing from "R2" Two-Family Residence District to "R3" Multiple Family Residence District (COMMENTS)	1156
Cohen, Dan	Discussion - Bill 1008 - Veto "Adopting and approving the 1993 Capital Budget and the 1993 Community Development Block Grant program and approving the 1993 through 1998 Capital Improvement Program, so as to reduce line item in Parks and Recreation, and increasing a line item in City Council	1464
Cohen, Dan	Discussion - Bill 1040 - An ordinance supplementing the Pittsburgh Code, Title One-Administrative, Article VII - Procedures, Chapter 161, Contracts, by adding Section 161.27 Reports on City Council Grants(COMMENTS)	1478
Cohen, Dan	Discussion - Bill 1041 Resolution supplementing the City of Pittsburgh Rules of Council by adding Rule XIII, providing procedures for the authorization of grants of federal and local tax payer funds to non-profit organizations serving the residents of the City of Pittsburgh(COMMENTS)	1478
Cohen, Dan	Discussion - Bill 1125 - Strongly urging the United States Senators, United States Representatives, the Pennsylvania State Legislature and the Governor to adopt a decentralized plan for auto emissions testing similar to the current inspection program	1436
Cohen, Dan	Discussion - Bill 1159 - Resolution providing for an Easement and/or Right-of-Entry Agreement with the Port Authority of Allegheny County and/or the Pennsylvania Department of Transportation to construct and maintain the foundation of the new Airport Busway/H.O.V. Bridge on the Monogahela Wharf (Port Authority requires release from the City of Pittsburgh to construct the foundation for the new bridge)	1640
Cohen, Dan	Discussion - Bill 1163 - Resolution authorizing and directing the Department of City Planning, Bureau of Building Inspection and Law to develop a map, a list of reported complaints, and legal action in relation to Section 8 properties in the City of Pittsburgh	1660
Cohen, Dan	Discussion - Bill 1176, Resolution that the Council of the City of Pittsburgh shall delay action upon any Ordinance which would reduce the City Amusement Tax Rate Regional Asset	1515
Cohen, Dan	Discussion - Bill 1242 - Resolution for an agreement with a consultant to establish a volunteer program for the Community Oriented Policing Program (COMMENTS)	1708

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Cohen, Dan	Discussion - Bill 1265 - Contract to purchase and install a telecommunication system for the Department of Personnel and Civil Service	1701
Cohen, Dan	Discussion - Bill 1265 - Resolution for a contract to purchase and install a telecommunication system for the Department of Personnel and Civil Service (COMMENTS)	1773
Cohen, Dan	Discussion - Bill 1266 - Resolution for a contract to purchase and installation of an electronic production switcher for the Department of general Services, Bureau of Cable Communications	1716
Cohen, Dan	Discussion - Bill 1299 - Resolution authorizing and directing issuance of a series of tax and revenue anticipation notes, series of 1995, in the aggregate principal amount not to exceed \$25,000,000.00 (COMMENTS)	1732, 1737
Cohen, Dan	Discussion - Bill 1365 - Resolution for a Cooperation Agreement with the URA of Pittsburgh (The Authority) relating to creation by the Authority of a Development Fund to stimulate residential, commercial, industrial and other development in the City; authorizing the assignment to the Authority of a portion of the amount the City is entitled to receive from the sales, use and hotel Excise Tax Imposed pursuant to Act 77) (COMMENTS)	1779
Cohen, Dan	Discussion - Bill 1391 - An Ordinance amending and supplementing the Pittsburgh Code, Title Four, Public Places and Property, Article II, Communications, Chapter 425, Cable Communications to Establish a Maximum Late Payment Fee for the Untimely Payment of Bills for Cable Television Service and Codifying Previously Adopted Customer Service Standards	1858
Cohen, Dan	Discussion - Bill 271 "Rehabilitation of Existing Playgrounds (COMMENTS)	358
Cohen, Dan	Discussion - Bill 271 and 272 Contract for Rehabilitation of Existing Play Areas and Cooperation Agreement "Playground Liberty and You" (REMARK)	373
Cohen, Dan	Discussion - Bill 284 - Residential Parking Permit Program in Central Shadyside	356
Cohen, Dan	Discussion - Bill 317 - \$8,000.00 Warrant in favor of KPMG Peat Marwick	699
Cohen, Dan	Discussion - Bill 318 and 319, Carnegie Institute	544
Cohen, Dan	Discussion - Bill 364 - Opposing any involvement by the University of Pittsburgh in the Mount Graham Telescope Project	538
Cohen, Dan	Discussion - Bill 367, Automated Telephone Dialing System for Emergency Operations Center	629
Cohen, Dan	Discussion - Bill 397 - General Obligation Notes, Series of 1994 \$15,000,000.00	625
Cohen, Dan	Discussion - Bill 418, Declaring April 17-23, 1994 Big Brother and Big Sisters Volunteer Appreciation Wee	605
Cohen, Dan	Discussion - Bill 419, Proclaiming April 19, 1994 DARE Day in the City of Pittsburgh	607

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Cohen, Dan	Discussion - Bill 421 - Resolution - Urging the Mayor and the City's Representatives of the Southwestern Pennsylvania Regional Planning Commission to ask the PTC to plan the Mon/Fayette Transportation project, from I-70 to I-376 as one project in order to identify the impacts and benefits to the City of Pittsburgh	931
Cohen, Dan	Discussion - Bill 427 - \$20,181.76 Warrant in favor of Joel and Kelli Hollis for property damage	699
Cohen, Dan	Discussion - Bill 449, Saluting the Bishop Duane Adrian Darkins	659
Cohen, Dan	Discussion - Bill 459 Contract for the installation of Traffic Signal Equipment (COMMENTS)	750
Cohen, Dan	Discussion - Bill 483 - "Barrier Awareness Day and Three Rivers Center for Independent Living Day - May 5, 1994	684
Cohen, Dan	Discussion - Bill 494 - Agreement Construction Inspection for Phase I of the City's Fifth/Forbes Street Improvement Project	803
Cohen, Dan	Discussion - Bill 494 - Agreement/Contract - Construction Inspection for Phase I of the City's Fifth/Forbes Street Improvement Project	798
Cohen, Dan	Discussion - Bill 593 - "Ordinance amending the Pittsburgh Code Title One-Administrative, Article VII-Procedures, Chapter 151-Contracts, by adding a new Subchapter 161.26 Automobile Purchase and Lease Contracts for the City of Pittsburgh	871
Cohen, Dan	Discussion - Bill 624 - Acquisition from CSX Transportation, Inc. of certain property located in the 6th and 9th Wards of the City for Park purposes	870
Cohen, Dan	Discussion - Bill 627 and 630, Station Square Phase II Project; Thanking the Administration	936
Cohen, Dan	Discussion - Bill 658 - Approving the Transfer of Interest Affecting the franchise of TCI of Pennsylvania, Inc.	867
Cohen, Dan	Discussion - Bill 658, regarding the merger between TCI and Liberty Media	956
Cohen, Dan	Discussion - Bill 687 - "Title Nine, Zoning, by eliminating the Community Parking area use and the major parking area use in the "C5" Golden Triangle District" (REMARKS)	1196
Cohen, Dan	Discussion - Bill 687 - "Title Nine, Zoning, by eliminating the community Parking area use and the major parking area use in the "C5" Golden Triangle District"	1191
Cohen, Dan	Discussion - Bill 761, An Ordinance Amending the Pittsburgh Code, Title Nine, Zoning District Map No. 12, by Changing from "R4" Multiple-Family Residence District to "A1" Commercial Residential Associated District all that certain property located on the easterly Copeland Street and identified as 731 Copeland Street, 7th Ward(COMMENTS)	1311
Cohen, Dan	Discussion - Bill 762 - Agreement with a consultant for purpose of conducting planning and management studies	1110

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Cohen, Dan	Discussion - Bill 770 - Commending State Senator Michael Dawida Senate Bill #1785, by creating two lottery games a year that would proved a source of funds for repayment of bonds on economic development projects	1079
Cohen, Dan	Discussion - Bill 775 - Contract and/or Agreement - Rehabilitation of Existing Play Areas in CD areas	1156
Cohen, Dan	Discussion - Bill 775 - Contract Rehabilitation of Mellon Park Wall - (COMMENTS)	1154
Cohen, Dan	Discussion - Bill 776 - Contract/Agreement purchase equipment in connection with the Renovation of City-Council Chambers	1158
Cohen, Dan	Discussion - Bill 798 - Agreement with a professional consultant firm to prepare the annual defense spending report for the City of Pittsburgh (COMMENTS)	1201
Cohen, Dan	Discussion - Bill 82, 83 and 84 various warrants repairs on Council Chambers, City County Building	139
Cohen, Dan	Discussion - Bill 926, An Ordinance, supplementing the Pittsburgh Code, Title Six-Conduct, Article I, Regulated Rights and Actions, by adding Chapter 602 -	1255
Cohen, Dan	Discussion - Bill No 610 - Recognizing the Renaissance Publications	831
Cohen, Dan	Discussion - Bill No. 115, Residential Parking Permit Program, Bloomfield Community Amending Resolution 489/1989 (REMARKS)	186(a)
Cohen, Dan	Discussion - Bill No. 134, Urging the School District of the City of Pittsburgh to immediately adopt a Gentrification Program for the Year 1994	126
Cohen, Dan	Discussion - Bill No. 260, Appointment of John Curlovich, Pittsburgh Cable Advisory Committee Clarification	253
Cohen, Dan	Discussion - Bill No. 34 An Ordinance amending the Pittsburgh Code Title Nine Zoning, Article III, Chapter 921, Zoning District Map No. 11 by changing from "R3" to "C3" (REMARKS)	669
Cohen, Dan	Discussion - Bill No. 480 "Declaring May 3, 1994 We Get Results When We Work Together Day	680
Cohen, Dan	Discussion - Bill No. 87, Contract for a Playground Hazard Analysis	209
Cohen, Dan	Discussion - Bill, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416 and 417, Various Appointments	568
Cohen, Dan	Discussion - Cable Advisory Board Meeting/Communications	81
Cohen, Dan	Discussion - Cable Committee	617
Cohen, Dan	Discussion - Cable Television Regulations	460
Cohen, Dan	Discussion - City Budget Deficit	323
Cohen, Dan	Discussion - City Pride Bakery Closing	185
Cohen, Dan	Discussion - Comments on the appointment of Deborah Miskovich, General Services Director (REMARKS)	635
Cohen, Dan	Discussion - Community Oriented Police Program	1371
Cohen, Dan	Discussion - Complaints received from Commercial Business regard Alarm Fees	154
Cohen, Dan	Discussion - Community Oriented Police Officers Shift	1890

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Cohen, Dan	Discussion - Conference Call regarding Cable TV	1645
Cohen, Dan	Discussion - Financial Package received from the Administration regarding the Pirates	847
Cohen, Dan	Discussion - Financial Package received from the Administration regarding the Pirates	848
Cohen, Dan	Discussion - Gang Summit in Pittsburgh	257
Cohen, Dan	Discussion - Gang Summit in Pittsburgh	262
Cohen, Dan	Discussion - HOV Lane through Wabash Tunnel	1592
Cohen, Dan	Discussion - Housing Authority Appointments	372
Cohen, Dan	Discussion - Informing Council that the Garfield Community will hold a meeting April 21, 1994 regard stop the violence	566
Cohen, Dan	Discussion - Law Enforcement Officers on Horseback	619
Cohen, Dan	Discussion - Minority Business Enterprise/Women's Business Enterprise (COMMENTS)	1598
Cohen, Dan	Discussion - Motion to reopen the budget	709
Cohen, Dan	Discussion - Mr. Flaherty's Audit of Police Hiring	100
Cohen, Dan	Discussion - On Bill 1403 - 1408 Cooperation Agreement with the Allegheny Regional Asset District, National Aviary, Inc., Zoological Society of Pittsburgh, Phipps Conservatory, Inc., Carnegie Institute, Inc., Carnegie Library of Pittsburgh	1892
Cohen, Dan	Discussion - Overtime in the Police Department	548
Cohen, Dan	Discussion - Pittsburgh Film Office	271
Cohen, Dan	Discussion - Pittsburgh Pirates Loan	878
Cohen, Dan	Discussion - Post Agenda regarding tax delinquent real estate sales and procedures	562
Cohen, Dan	Discussion - Proposed 1995 City Budget	1828
Cohen, Dan	Discussion - Proposed Pittsburgh Pirates Loan	933
Cohen, Dan	Discussion - Public Safety Department	546, 547
Cohen, Dan	Discussion - Recommittal of Bill 793, A resolution Adopting Official Sewage Facilities Plan for Envirotec Partners, Teledyne Industries, Plan	1259
Cohen, Dan	Discussion - Resignation of Robert Currin, Pittsburgh Film Office	365
Cohen, Dan	Discussion - Robert's Rules of Order - Pirate Indebtedness Loan - Bill 681	1066
Cohen, Dan	Discussion - regarding Sean Rosemond Case - Defendants in Violent Homicide	148
Cohen, Dan	Discussion - Summer Youth Employment	713
Cohen, Dan	Discussion - TCI	842
Cohen, Dan	Discussion - TCI	938
Cohen, Dan	Discussion - TCI	1723
Cohen, Dan	Discussion - TCI	1851
Cohen, Dan	Discussion - TCI	1855
Cohen, Dan	Discussion - TCI Cable	98
Cohen, Dan	Discussion - TCI of Pennsylvania Hearing	1551
Cohen, Dan	Discussion - TCI Rates	175
Cohen, Dan	Discussion - The Ethics Commission	40
Cohen, Dan	Discussion - Untable Bill 618 - An Agreement with Carnegie Mellon University in connection with the construction of the building over a City Sewer	992

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Cohen, Dan	Discussion - Update on the Cable Advisory Committee	1499
Cohen, Dan	Discussion Bill 1172 - Conditional Use Exception to Carnegie Mellon University for authorization to construct a four story and basement research building known as George A. Roberts Hall (COMMENTS)	1583
Cohen, Dan	Discussion Bill 242 - John P. Robin	244
Cohen, Dan	Discussion Bill 796 - Transfer \$100,000.00 from Code Account 45, Health/Life Insurance-Municipal Employees to Code Account 1075 B5-2, Outside Counsel and Bill 797 - Agreement for the hiring of outside counsel to assist in negotiating labor contracts for the City	1180
Cohen, Dan	Discussion Bill No. 136, Ordinance, Title One Administration, by adding a new section 161.26 Notification of Council Emergency and Maintenance Contracts	214
Cohen, Dan	Discussion Bill No. 95 - Agreement designating property to be used as the site for the erection of the Korean War Veterans of Western Pennsylvania Memorial Monument	146
Cohen, Dan	Discussion on Bill 409, 410, 411, 412, 413, 414, 415, 16, 417, Various Appointments	617
Cohen, Dan	Discussion on Bill 627, Cooperation Agreement - URA - Phase II Station Square Road and Bill 630, Amending Resolution 1455/1993, Approving the 1994 Capital Budge, by adding a new line item Station Square Road (REMARKS)	941
Cohen, Dan	Discussion on Bill's 1390, 1391 and 1392, Cable Communication Legislation	1755
Cohen, Dan	Discussion supporting Mr. Smith' motion to contact respective departments regarding memo from Department of General Services	273
Cohen, Dan	Discussion to create a Labor Management Task Force (REMARKS)	156
Cohen, Dan	Discussion- Bill 298 "Street Resurfacing Program" to change various code accounts	355
Cohen, Dan	Discussion- Ethics Commission - Appointments	800
Cohen, Dan	Discussion- Regarding the Six (6) newly appointed Department Directors	39
Cohen, Dan	Discussion-Bill No. 342, appointing James Rudolph as a Board Member of the Housing Authority of the City of Pittsburgh	562
Cohen, Dan	Discussion - Bill 1106 - Resolution providing for transfer of funds in the aggregate amount of \$4,509,000.00	1501
Cohen, Dan	Discussion - Bill 793, Adopting Official Sewage Facilities Plan for the Teledyne Industries Plan of Subdivision ---Negative Recommendation	1505
Cohen, Dan	Discussion - Bill 793, Adopting Official Sewage Facilities Plan for the Teledyne Industries Plan of Subdivision ---Negative Recommendation	1509
Cohen, Dan	Discussion - Paramedics being present during film production in the City of Pittsburgh	1676

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Cohen, Dan	Informing Council of a letter sent to organizations who were seeking either block grant allocation dollars	1596
Cohen, Dan	Informing Council of the Communication he had with Lou Gaetano of Pittsburgh Sports Federation, he has been asked to resign	459
Cohen, Dan	Informing Council that the Public Hearing on Cable Rates is scheduled for February 22, 1994 at 7:00 p.m.	221
Cohen, Dan	Informing the residents of Pittsburgh of the National Night Out	1192
Cohen, Dan	Introducing William Haggerty of Immaculate Conception School who will lead council in the Pledge of Allegiance	763
Cohen, Dan	Requesting City Clerk to have copies made of the Municipal Guide to Cable Television Regulations and distributed to all Councilmembers	103
Cohen, Dan	Suggestion to Develop a Sub-Committee for the Cable Advisory Board	84
Cohen, Dan	Supporting - Bill 1149 - "Urging the Mayor of the City of Pittsburgh to use the resources of his office to explore all opportunities for public ownership of a minority share of the Pirates	1475
Cohen, Dan	Supporting - Bill 1149 - "Urging the Mayor of the City of Pittsburgh to use the resources of his office to explore all opportunities for public ownership of a minority share of the Pirates	1475
Cohen, Dan	Supporting Amendment to - Bill 1365 - Resolution approving the Terms of and Authorizing the execution and delivery of a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh relating to the creation by the Authority of a Development Fund to stimulate residential, commercial and industrial and other development in the City at an aggregate principal amount of \$60,000,000.00	1766
Cohen, Dan	Supporting, Mr. O'Connors request that a commission be established that ensure that Pirate Baseball Club remains in the City	60
Cohen, Dan	Taking the Oath of Office	4
Cohen, Dan	Taking the Oath of Office	4
Cohen, Dan	Thanking Mr. Ricciardi for organizing the seminar held in regards to Public Works	1074
Cohen, Dan	Congratulating Bob O'Connor of his investigation into the parking tax revenue	181
Cusick, Joe	Discussion - Gang Summit in Pittsburgh	262
Cusick, Joe	Discussion - Gang Summit in Pittsburgh	263
Cusick, Joe	Commending Chief Magistrate Don Machen for his work on the Amnesty Bill	239
Cusick, Joe	Commending Christopher Smith for his motion to televise the public hearing on the vacancy in the 9th Council District	1089
Cusick, Joe	Commending Councilman Dan Cohen for his hard work and leadership on the issue with TCI	776
Cusick, Joe	Commending the Mayor and the Administration, Building Inspection, Public Works for examining the four residence at Pioneer Avenue, Brookline	1553 633

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Cusick, Joe	Congratulating Linda Johnson-Wasler as the first woman to serve as City Clerk, in the City of Pittsburgh	109
Cusick, Joe	Congratulating Valerie McDonald as the newly elected member of Council, representing District 9	1684
Cusick, Joe	Congratulating, Jim Ferlo - Public Auction Cable Bureau Accessories Legislation	215
Cusick, Joe	Congratulation, Deborah Miskovich and John Hanna on their appointment to the directorship	617
Cusick, Joe	Discussion - HOV Busway Bridge	1864
Cusick, Joe	Discussion - Bill 1008 - Veto "Adopting and approving the 1993 Capital Budget and the 1993 Community Development Block Grant program and approving the 1993 through 1998 Capital Improvement Program, so as to reduce line item in Parks and Recreation, and increasing a line item in City Council	1462
Cusick, Joe	Discussion - Bill 1100 - Transfer \$30,000.00 from Code Account 2, Sinking Fund Bond Maturities to Code Account 1482, Miscellaneous Services, Department of Engineering and Construction (COMMENTS)	1560
Cusick, Joe	Discussion - Bill 1159 - Resolution providing for an Easement and/or Right-of-Entry Agreement with the Port Authority of Allegheny County and/or the Pennsylvania Department of Transportation to construct and maintain the foundation of the new Airport Busway/H.O.V. Bridge on the Monogahela Wharf (Port Authority requires release from the City of Pittsburgh to construct the foundation for the new bridge)	1639
Cusick, Joe	Discussion - Bill 1159 - Resolution providing for an Easement and/or Right-of-Entry Agreement with the Port Authority of Allegheny County and/or the Pennsylvania Department of Transportation to construct and maintain the foundation of the new Airport Busway/H.O.V. Bridge on the Monogahela Wharf (Port Authority requires release from the City of Pittsburgh to construct the foundation for the new bridge)	1641
Cusick, Joe	Discussion - Bill 1163 - Resolution authorizing and directing the Department of City Planning, Bureau of Building Inspection and Law to develop a map, a list of reported complaints, and legal action in relation to Section 8 properties in the City of Pittsburgh	1660
Cusick, Joe	Discussion - Bill 1176, Resolution that the Council of the City of Pittsburgh shall delay action upon any ordinance which would reduce the City Amusement Tax Rate, Regional Asset	1516
Cusick, Joe	Discussion - Bill 1184 - Resolution providing for an Agreement with a consultant for professional engineering and architectural services in connection with the rehabilitation and reconstruction of Phillips Park Community Center (COMMENTS)	1584
Cusick, Joe	Discussion - Bill 1265 - Contract to purchase and install a telecommunication system for the Department of Personnel and Civil Service	1703

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Cusick, Joe	Discussion - Bill 1299 - Authorizing and directing issuance of a series of tax and revenue anticipation notes, series of 1995, in the aggregate principal amount not to exceed twenty-five million dollars (\$25,000,000.00)	1725
Cusick, Joe	Discussion - Bill 1331 - Resolution for professional services agreement with Sedgwick James for the Administration of City's Workers Compensation Program for a period of three months beginning January 1, 1995 and ending March 31, 1995	1742
Cusick, Joe	Discussion - Bill 425 - Lease with Don Morine, President, John Weinhold, Vice President/General Manager or Property Ventures LTD (COMMENTS)	715
Cusick, Joe	Discussion - Bill 462 - Agreement with the Pittsburgh Board of Education for the purpose of providing professional services in connection with the Summer Lunch Program	703
Cusick, Joe	Discussion - Bill 494 - Agreement Construction Inspection for Phase I of the City's Fifth/Forbes Street Improvement Project	803
Cusick, Joe	Discussion - Bill 494 - Agreement/Contract - Construction Inspection for Phase I of the City's Fifth/Forbes Street Improvement Project	798
Cusick, Joe	Discussion - Bill 570 - Community Oriented Police Mini Station in Beechview	844
Cusick, Joe	Discussion - Bill 687 - "Title Nine, Zoning, by eliminating the community Parking area use and the major parking area use in the "C5" Golden Triangle District"	1192
Cusick, Joe	Discussion - Bill 770 - Commending State Senator Michael Dawida Senate Bill #1785, by creating two lottery games a year that would prove a source of funds for repayment of bonds on economic development projects	1081
Cusick, Joe	Discussion - Bill 82, 83 and 84 various warrants - repairs on Council Chambers, City County Building	136
Cusick, Joe	Discussion - Bill 867, Resolution for a Contract for the Renovation and Repair of Ornamental Fences at various locations (COMMENTS)	1225
Cusick, Joe	Discussion - Bill 868 - Contract for the Rehabilitation of various landscape and turfing areas (COMMENTS)	1225
Cusick, Joe	Discussion - Bill 922 - Declaring the week of August 7 through 12 to be "Neighborhood Beautification Week" in the City of Pittsburgh	1168
Cusick, Joe	Discussion - Bill No. 357, Resolution directing the Solicitor and Chief of Police in consultation with City Council to convene a Community and Law Enforcement Conference (REMARKS)	565
Cusick, Joe	Discussion - Bill No. 480 "Declaring May 3, 1994 We Get Results When We Work Together Day	681
Cusick, Joe	Discussion - Bill No. 87, Contract for a Playground Hazard Analysis	210
Cusick, Joe	Discussion - Community Oriented Police Program	1372
Cusick, Joe	Discussion - Create a Labor Management Task Force	155

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Cusick, Joe	Discussion - Envirotest	1367
Cusick, Joe	Discussion - Four Homes that have some type of land subsiding, located on Pioneer Avenue, Brookline	632
Cusick, Joe	Discussion - Gentrification Program	1476
Cusick, Joe	Discussion - HOV Lane through Wabash Tunnel	1592
Cusick, Joe	Discussion - Housing Authority Appointments	362
Cusick, Joe	Discussion - Labor Management Task Force	270
Cusick, Joe	Discussion - Minority Business Enterprise/Women's Business Enterprise (COMMENTS)	1598
Cusick, Joe	Discussion - Motion to reopen the budget	709
Cusick, Joe	Discussion - Mr. Flaherty's Audit of Police Hiring	100
Cusick, Joe	Discussion - Petition submitted regarding increasing fees over electro-mechanical gambling devices	852
Cusick, Joe	Discussion - Phillips Park Pool	1221
Cusick, Joe	Discussion - Public Safety Complex	335
Cusick, Joe	Discussion - Robert's Rules of Order - Pirate Indebtedness Loan - Bill 681	1069
Cusick, Joe	Discussion - TCI hiring Brother Richard Emenecker	267
Cusick, Joe	Discussion - transfer of activities to the Water and Sewer Authority	1827
Cusick, Joe	Discussion 84 and 85, Regarding Golden Triangle Construction Company and Renovations within the City-County Building (REMARKS)	161
Cusick, Joe	Discussion Bill 270 (Contract for Engineering Services in connection with design of Overbrook Way Footbridge (REMARKS)	358
Cusick, Joe	Discussion Bill 570 - Agreement with Beechview United Presbyterian Church owner, for the purpose of a Community Oriented Police Mini Station (COMMENTS)	855
Cusick, Joe	Discussion Bill 796 - Transfer \$100,000.00 from Code Account 45, Health/Life Insurance-Municipal Employees to Code Account 1075 B5-2, Outside Counsel and Bill 797 - Agreement for the hiring of outside counsel to assist in negotiating labor contracts for the City	1179
Cusick, Joe	Discussion Bill 796 - Transfer \$100,000.00 from Code Account 45, Health/Life Insurance-Municipal Employees to Code Account 1075 B5-2, Outside Counsel and Bill 797 - Agreement for the hiring of outside counsel to assist in negotiating labor contracts for the City	1182
Cusick, Joe	Discussion regarding the establishment of a Pittsburgh Pirates Baseball Club Commission	64
Cusick, Joe	Discussion- Bill 298 "Street Resurfacing Program" to change various code accounts	352
Cusick, Joe	Discussion- Bill No. 374 - Transfer \$243,374.00 from Code Account 1843, Senior Citizens Program to Code Account Senior Citizens Trust Fund	624
Cusick, Joe	Discussion-Bill No. 153 - Contract for Disposition Sale of Land by and between the URA of Pittsburgh and Spring Garden Neighborhood Council	212

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Cusick, Joe	Discussion - Bill 793, Adopting Official Sewage Facilities Plan for the Teledyne Industries Plan of Subdivision ---Negative Recommendation	1505
Cusick, Joe	Informing Council of the Communication he had with Lou Gaetano of Pittsburgh Sports Federation, he has been asked to resign	460
Cusick, Joe	Taking the Oath of Office	4
Cusick, Joe	Thanking Council for supporting Bill 1025, \$30,000.00 for the Pioneer Avenue Landslide	1370
Cusick, Joe	Discussion Bill 291, Joe Cusick Appointment to Allegheny County Sanitary Authority	301
Cusick, Joe	Discussion Bill No. 84, Regarding Thompson Construction Company (REMARKS)	159
Dan Cohen	Discussion - Bill 793, Adopting Official Sewage Facilities Plan for Envirotech Partners, Teledyne Industries, Plan of Subdivision, located on Idlewood Road, 28th Ward	1298
Danny Mascio	Leading Council's Meeting of October 18, 1994 in the Pledge of Allegiance	1489
Darkins, Duane	Discussion - Bill 363, Declaring April 9, 1994 as University of Pittsburgh Black Law Students Association Community Clinic Day	536
Darkins, Duane	Discussion - Bill 318 and 319, Carnegie Institute	544
Darkins, Duane	Discussion - re Mr. Gaetano and the Sports Federation	542
David Mika	Leading Council's Meeting of October 4, 1994 in the Pledge of Allegiance	1415
Dino Mascio	Leading Council's Meeting of October 18, 1994 in the Pledge of Allegiance	1489
Dollar, Joshelyn	Leading Councils Meeting of March 22, 1994 in the Pledge of Allegiance	336
Ferlo, Jim	Acceptance Speech for President of Council	315
Ferlo, Jim	Administering the Oath of Office to Kurt Salac as Assistant City Clerk	6
Ferlo, Jim	Announcing the appointment of the Chairman of various standing committees of council	549
Ferlo, Jim	Appointing of Councilmembers to the Board of Trustees of the Carnegie Institute and the Library, including Carnegie Science Center Gene Ricciardi, Alan Hertzberg and Dan Onorato	14, 16
Ferlo, Jim	As president, he will continue to Chair the Committee of Public Hearings	16
Ferlo, Jim	Bill 1313 - Swearing in Ceremony of Valerie A. McDonald, Member of Council to fill unexpired term City of Pittsburgh, Council District #9	16
Ferlo, Jim	Commending the Mayor for the Appointment of Several Labor Officials to the various authorities	1679
Ferlo, Jim	Commending the volunteers generated by the Pirate Organization who helped clean up the city	175 1089

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Communication from Mayor Murphy regarding the mission and goals and objective of the revised newly created MBE Committee	1591
Ferlo, Jim	Communication to the City Clerk, Linda Johnson-Wasler, instructing her to act on filing the Writ of Vacancy on July 15, 1994 to fill the vacancy in City Council District No. 9	994
Ferlo, Jim	Congratulating Bob O'Connor of his investigation into the parking tax revenue	181
Ferlo, Jim	Congratulating Councilman Christopher Smith on his appointment to the Urban Redevelopment Authority Board of Directors	44
Ferlo, Jim	Congratulating Dan Cohen, the new President Pro Tem	730
Ferlo, Jim	Congratulating Kurt Salac for his appointment as the Assistant City Clerk	
Ferlo, Jim	Congratulating Linda Johnson-Wasler as the first woman to serve as City Clerk, in the City of Pittsburgh	110
Ferlo, Jim	Congratulating Valerie McDonald as the newly elected member of Council, representing District 9	1685
Ferlo, Jim	Discussion - Bill 971 - Ordinance, Regulated Rights and Actions, Chapter 601.08, "Alcohol or Liquor Consumption on Streets or Sidewalks, providing for the City Wide Ban, "Open Container Law"	1343
Ferlo, Jim	Discussion - Bill 569 - Resolution providing for the construction of public sanitary sewers to serve fifteen (15) existing homes along Glasgow Street, Sacramento Street, Merwyn Avenue, Conestoga Avenue, Oterson Street and Washville Street, 20th Ward	875
Ferlo, Jim	Discussion - Bill Nos. 1102 - 1105 - Funding for the Carnegie Library	1510
Ferlo, Jim	Discussion - Pirate Loan	961
Ferlo, Jim	Discussion - HOV Busway Bridge	1866
Ferlo, Jim	Discussion - Bill 1307 - An Ordinance entitled "An Ordinance amending the Pittsburgh Code, Title Six "Conduct", Article I, Regulated Rights and Actions", Chapter 601, "Public Order", Section 601.14, Violation & Penalty" and Chapter 619, "Refuse Collection and Recycling", Section 619.14, "Violation and Penalty" by increasing fines for certain violations of the City Code	1727
Ferlo, Jim	Discussion - First Re-Organization meeting of the New Cable Advisory Committee, orientation session and also requesting a recommendation from Councilman Darkins Office. Two other recommendations are needed	80
Ferlo, Jim	Discussion - City Budget Deficit	334
Ferlo, Jim	Discussion - Appointment Housing Authority (REMARKS)	368
Ferlo, Jim	Discussion - Appointment of C. Lu Conser, Sandra Glass, Barbara Jean Sampson, and Chuck Honse to the City of Pittsburgh's Human Relations Commission	1149
Ferlo, Jim	Discussion - Appointments to City Cable Communications Advisory Committee	41
Ferlo, Jim	Discussion - Article in the Post Gazette - Gang Summit	306

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Article regarding the Mayor acting on his own regarding the Youth Initiative Trust Fund	783
Ferlo, Jim	Discussion - Bill 1006 - Ordinance amending the Pittsburgh Code, Title 9, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 12 and Map No. 17, by changing from "R2" Two-Family Residence District to "R3" Multiple Family Residence District (COMMENTS)	1156
Ferlo, Jim	Discussion - Bill 1008 - Veto "Adopting and approving the 1993 Capital Budget and the 1993 Community Development Block Grant program and approving the 1993 through 1998 Capital Improvement Program, so as to reduce line item in Parks and Recreation, and increasing a line item in City Council	1462
Ferlo, Jim	Discussion - Bill 1125 - Strongly urging the United States Senators, United States Representatives, the Pennsylvania State Legislature and the Governor to adopt a decentralized plan for auto emissions testing similar to the current inspection program	1435
Ferlo, Jim	Discussion - Bill 1159 - Resolution for an Easement and/or Right Agreement with Port Authority of Allegheny County and/or the Pennsylvania Department of Transportation to construct and maintain the foundation of the new Airport Busway/H.O.V. Bridge on the Monongahela (Port Authority acquires a lease from the City of Pittsburgh to construct the Foundation for the new bridge). (COMMENTS)	1735
Ferlo, Jim	Discussion - Bill 1159 - Resolution providing for an Easement and/or Right-of-Entry Agreement with the Port Authority of Allegheny County and/or the Pennsylvania Department of Transportation to construct and maintain the foundation of the new Airport Busway/H.O.V. Bridge on the Monongahela Wharf (Port Authority requires release from the City of Pittsburgh to construct the foundation for the new bridge)	1642
Ferlo, Jim	Discussion - Bill 1163 - Resolution authorizing and directing the Department of City Planning, Bureau of Building Inspection and Law to develop a map, a list of reported complaints, and legal action in relation to Section 8 properties in the City of Pittsburgh	1660
Ferlo, Jim	Discussion - Bill 1163 - Resolution authorizing and directing the Department of City Planning, Bureau of Building Inspection and Law to develop a map, a list of reported complaints, and legal action in relation to Section 8 properties in the City of Pittsburgh	1660
Ferlo, Jim	Discussion - Bill 1176, Resolution that the Council of the City of Pittsburgh shall delay action upon any ordinance which would reduce the City Amusement Tax Rate, Regional Asset	1511
Ferlo, Jim	Discussion - Bill 1265 - Contract to purchase and install a telecommunication system for the Department of Personnel and Civil Service	1702

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Bill 1362 - An Ordinance amending the Pittsburgh Code, Title Two, Fiscal Article IX, Property Taxes Chapter, 263, Real property Tax and Exemption by adding Section 263.15 Charitable or related Tax Exemption challenges (COMMENTS)	1868
Ferlo, Jim	Discussion - Bill 1365 - Resolution approving the Terms of and Authorizing the execution and delivery of a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh relating to the creation by the Authority of a Development Fund to stimulate residential, commercial and industrial and other development in the City at an aggregate principal amount of \$60,000,000.00	1767
Ferlo, Jim	Discussion - Bill 1391 - An Ordinance amending and supplementing the Pittsburgh Code, Title Four, Public Places and Property, Article II, Communications, Chapter 425, Cable Communications to Establish a Maximum Late Payment Fee for the Untimely Payment of Bills for Cable Television Service and Codifying Previously Adopted Customer Service Standards	1859
Ferlo, Jim	Discussion - Bill 1395 - Authorizing the Mayor and the Director of the Department of Public Safety and General Services to Execute a Cooperation Agreement and amendments thereto with the Public Parking Authority of Pittsburgh to provide for the administration, supervision and enforcement of on-street parking regulation in the City of Pittsburgh	1757
Ferlo, Jim	Discussion - Bill 200 - Finance Director to examine the feasibility of a direct pay, voluntary payment system for elderly residents to pay Alcosan and Water & Sewer (REMARKS)	252,276
Ferlo, Jim	Discussion - Bill 200, Comments (REMARKS)	278
Ferlo, Jim	Discussion - Bill 269-Would like Comments Brought Forward	350
Ferlo, Jim	Discussion - Bill 271 "Rehabilitation of Existing Playgrounds (COMMENTS)	359
Ferlo, Jim	Discussion - Bill 271 and 272 Contract for Rehabilitation of Existing Play Areas and Cooperation Agreement "Playground Liberty and You" (REMARK)	373
Ferlo, Jim	Discussion - Bill 335 - Ordinance Creating a Conditional Use Procedure and Bill 117, which actually lists and stipulates the respective zoning codes	881
Ferlo, Jim	Discussion - Bill 364 - Opposing any involvement by the University of Pittsburgh in the Mount Graham Telescope Project	538
Ferlo, Jim	Discussion - Bill 382 Cooperative Agreement with Allegheny County for the purpose of jointly cooperating in the exercise or performance of governmental functions	625
Ferlo, Jim	Discussion - Bill 386, Declaring April 9, 1994 as "The Champions Association Inc. Day in the City	553
Ferlo, Jim	Discussion - Bill 421, Urging City representative to oppose approval of Southwestern Pennsylvania Regional Planning Commission of the Environmental Impact Statement	611

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Bill 434 - An Ordinance amending the Pittsburgh Code Title Eight, Fire Prevention Chapter 801, Adoption, Enforcement and Amendments, Section 801.02, Changes specified, (REMARKS)	1090
Ferlo, Jim	Discussion - Bill 435, An Ordinance amending the Pittsburgh Code, Title Ten, Building, Chapter 1007, BOCA National Building Code Adoption Section 1007.02, Changes Specified	1090
Ferlo, Jim	Discussion - Bill 449, Saluting the Bishop Duane Adrian Darkins	658
Ferlo, Jim	Discussion - Bill 462 - Agreement with the Pittsburgh Board of Education for the purpose of providing professional services in connection with the Summer Lunch Program	703
Ferlo, Jim	Discussion - Bill 483 - "Barrier Awareness Day and Three Rivers Center for Independent Living Day - May 5, 1994	684
Ferlo, Jim	Discussion - Bill 485 - Declaring the Month of May Mediation Month in the City of Pittsburgh	690
Ferlo, Jim	Discussion - Bill 494 - Agreement/Contract - Construction Inspection for Phase I of the City's Fifth/Forbes Street Improvement Project	797
Ferlo, Jim	Discussion - Bill 592 - Agreement with psychologist for professional psychological services for 1994 at a cost not to exceed \$60,000.00	874
Ferlo, Jim	Discussion - Bill 593 - "Ordinance amending the Pittsburgh Code Title One-Administrative, Article VII-Procedures, Chapter 151-Contracts, by adding a new Subchapter 161.26 Automobile Purchase and Lease Contracts for the City of Pittsburgh	872
Ferlo, Jim	Discussion - Bill 658 - Approving the Transfer of Interest Affecting the franchise of TCI of Pennsylvania, Inc.	866
Ferlo, Jim	Discussion - Bill 687 - "Title Nine, Zoning, by eliminating the Community Parking area use and the major parking area use in the "C5" Golden Triangle District" (REMARKS)	1196
Ferlo, Jim	Discussion - Bill 687 - "Title Nine, Zoning, by eliminating the community Parking area use and the major parking area use in the "C5" Golden Triangle District"	1191
Ferlo, Jim	Discussion - Bill 746, "Billy Eckstine Day", thanking the Historical Society for helping to organize this event	1062
Ferlo, Jim	Discussion - Bill 770 - Commending State Senator Michael Dawida Senate Bill #1785, by creating two lottery games a year that would proved a source of funds for repayment of bonds on economic development projects	1076
Ferlo, Jim	Discussion - Bill 776 - Contract/Agreement purchase equipment in connection with the Renovation of City-Council Chambers	1158
Ferlo, Jim	Discussion - Bill 793 - Resolution adopting Official Sewage Facilities Plan for Envirotec Partners, Teledyne Industries, Plan of Subdivision, located on Idlewood Road, 28th Ward	1316

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Bill 793, Adopting Official Sewage Facilities Plan for Envirotech Partners, Teledyne Industries, Plan of Subdivision, located on Idlewood Road, 28th Ward	1301
Ferlo, Jim	Discussion - Bill 802, - Wayfinder Singage Program -	1101
Ferlo, Jim	Discussion - Bill 922 - Declaring the week of August 7 through 12 to be "Neighborhood Beautification Week" in the City of Pittsburgh	1171
Ferlo, Jim	Discussion - Bill 926 - An ordinance supplementing the Pittsburgh Code, Title Six-Conduct, Article I, Regulated Rights and Actions, by adding Chapter 602 Minors (COMMENTS)	1262
Ferlo, Jim	Discussion - Bill 926, An Ordinance, supplementing the Pittsburgh Code, Title Six-Conduct, Article I, Regulated Rights and Actions, by adding Chapter 602 - Minors and also requesting that in six months he receive a formal report regarding this bill	1252, 1253
Ferlo, Jim	Discussion - Bill 960 - Resolution incurring lease rental debt in an aggregate principal amount not to exceed Fourteen Fifty Thousand Dollars (\$14,050,000.00) by entering into supporting agreements with the Public Auditorium Authority of Pittsburgh and Allegheny County and the County of Allegheny	1380
Ferlo, Jim	Discussion - Bill No. 134, Urging the School District of the City of Pittsburgh to immediately adopt a Gentrification Program for the Year 1994	127
Ferlo, Jim	Discussion - Bill No. 134, Urging the School District of the City of Pittsburgh to immediately adopt a Gentrification Program for the Year 1994	129
Ferlo, Jim	Discussion - Bill No. 135, Transferring \$190,000.00 from Code Account 1400-1, Premium Pay to Code Account Emergency Telephone Act Trust Fund, Bureau of Administration	177
Ferlo, Jim	Discussion - Bill No. 18 - License with National Development Corporation to construct a one-double faced Business Sign	142
Ferlo, Jim	Discussion - Bill No. 260, Appointment of John Curlovich, Pittsburgh Cable Advisory Committee Clarification	253
Ferlo, Jim	Discussion - Bill No. 287, Resolution Urging Board of Commissioners of Allegheny County to adopt an Ordinance creating the Allegheny Regional Asset District and levying the additional one percent sales and use tax in Allegheny County	
Ferlo, Jim	Discussion - Bill No. 34 An Ordinance amending the Pittsburgh Code Title Nine Zoning, Article III, Chapter 921, Zoning District Map No. 11 by changing from "R3" to "C3" (REMARKS)	669
Ferlo, Jim	Discussion - Bill No. 63, Warrant to Paul D. Boas	54
Ferlo, Jim	Discussion - Bill No. 904, Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to change the name of the East Liberty Park to the Duane A. Darkins Park	1219

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Bill No. 971 - A Resolution amending the Pittsburgh Code, Title VI--Regulated Rights and Actions, Chapter 601.08, 'Alcohol or Liquor Consumption on Streets or Sidewalks, by providing for a City-wide ban on the consumption and possession of alcoholic beverages under certain terms and conditions (Open Container Law)	1293
Ferlo, Jim	Discussion - Bill No. 971 - A resolution amending the Pittsburgh Code, Title VI--Regulated Rights and Actions, Chapter 601.08, 'Alcohol or Liquor Consumption on Streets or Sidewalks, by providing for a City-wide ban on the consumption and possession of alcoholic beverages under certain terms and conditions (Open Container Law)	1296
Ferlo, Jim	Discussion - Bill, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416 and 417, Various Appointments	568
Ferlo, Jim	Discussion - Bond Issue - \$15,000,000.00	626
Ferlo, Jim	Discussion - Cable Communications Committee	618
Ferlo, Jim	Discussion - Cable Television Regulations	461
Ferlo, Jim	Discussion - City Budget Deficit	330
Ferlo, Jim	Discussion - City Pride Bakery Closing	183
Ferlo, Jim	Discussion - City's Ethics Commission	776
Ferlo, Jim	Discussion - Concerns of the Tuition Reimbursement Program	454
Ferlo, Jim	Discussion - Council District 9 visitation to Firehouse located on Lemington Avenue	1549
Ferlo, Jim	Discussion - Envirotest	1368
Ferlo, Jim	Discussion - Finance Report and Personnel last December or November to clarify a policy for part time workers - requirement to take off 2 weeks	462
Ferlo, Jim	Discussion - Gang Summit in Pittsburgh	255
Ferlo, Jim	Discussion - Gang Summit in Pittsburgh	260
Ferlo, Jim	Discussion - Graffiti Removal	147
Ferlo, Jim	Discussion - Hertzberg Amendment to the Home Rule Charter	272
Ferlo, Jim	Discussion - Housing Authority Appointments	362,363
Ferlo, Jim	Discussion - HUD actions regarding the Allegheny Commons East	1438
Ferlo, Jim	Discussion - Informing Council that the Garfield Community will hold a meeting April 21, 1994 regard stop the violence	566
Ferlo, Jim	Discussion - Informing his colleagues of a promotional brochure that Neighborfair has regarding the expediting of the sale of side lots	562
Ferlo, Jim	Discussion - Law Enforcement Officer on Horseback	619
Ferlo, Jim	Discussion - Legal opinion on pay cut for white collar workers	711
Ferlo, Jim	Discussion - Letter Dated March 22, 1994 regarding Gerald Fox and John Noonan	361
Ferlo, Jim	Discussion - Mandated Appointments to Various Board	704
Ferlo, Jim	Discussion - Mayor Budget Address, regarding commitment to the food pantry groups	1595
Ferlo, Jim	Discussion - Minority and Women's Business Enterprise Review Committee Appointments	1554

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Minority Business Enterprise/Women's Business Enterprise (COMMENTS)	1598
Ferlo, Jim	Discussion - Neighborhood Meetings with the Administration	219
Ferlo, Jim	Discussion - Nominees for the Board of Adjustment	350
Ferlo, Jim	Discussion - On Bill 1403 - 1408 Cooperation Agreement with the Allegheny Regional Asset District, National Aviary, Inc., Zoological Society of Pittsburgh, Phipps Conservatory, Inc., Carnegie Institute, Inc., Carnegie Library of Pittsburgh	1892
Ferlo, Jim	Discussion - Overtime in the Police Department	548
Ferlo, Jim	Discussion - Performance Audit should be submitted to the respective Council Member who chairs that particular committee	349
Ferlo, Jim	Discussion - Petition received the residents of East Liberty community and Liberty Park requesting that this Council consider renaming after our colleague, Councilman Duane Adrian Darkins	1143
Ferlo, Jim	Discussion - Pittsburgh Film Office	271
Ferlo, Jim	Discussion - Preliminary Budget Document Received from Mayor's Office, November 14, 1994	1644
Ferlo, Jim	Discussion - Proposed Pittsburgh Pirates Loan	879
Ferlo, Jim	Discussion - parliamentarian attending City Council's Tuesday and Wednesday meetings	799
Ferlo, Jim	Discussion - Recommital of Bill 793, A resolution Adopting Official Sewage Facilities Plan for Envirotech Partners, Teledyne Industries, Plan	1260
Ferlo, Jim	Discussion - Recycling Routes	706
Ferlo, Jim	Discussion - Regarding Leaflet Advertisement for Summer Lifeguard Positions	221
Ferlo, Jim	Discussion - Requesting Mr. Hertzberg and Mr. O'Connor to speak about the "Be a Sport, Help a Kid" activities	665
Ferlo, Jim	Discussion - Requesting Mr. Robinson to speak on Bill 421, regarding the Southwestern Pennsylvania Regional Planning Commission of the Environmental Impact Statement	612
Ferlo, Jim	Discussion - Robert's Rules of Order - Pirate Indebtedness Loan - Bill 681	1065
Ferlo, Jim	Discussion - re Mr. Gaetano and the Sports Federation	542
Ferlo, Jim	Discussion - Senior Citizens Center Rent	626
Ferlo, Jim	Discussion - Stadium Lease and Pirates Lawsuit	134
Ferlo, Jim	Discussion - Supporting Councilman Hertzberg's Referendum to the Home Rule Charter	272
Ferlo, Jim	Discussion - TCI	270
Ferlo, Jim	Discussion - TCI Cable	1855
Ferlo, Jim	Discussion - The Launch Boat/Riverfront Clean Up	366
Ferlo, Jim	Discussion - transfers of activities to the Water and Sewer Authority	1825
Ferlo, Jim	Discussion - of activities to the Water and Sewer Authority	1827

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Untable Bill 618 - An Agreement with Carnegie Mellon University in connection with the construction of the building over a City Sewer	993
Ferlo, Jim	Discussion - Untimely death of Councilman Bishop Duane Adrian Darkins, the filling of this vacancy-	733
Ferlo, Jim	Discussion - Vacancies on the Cable Communications Advisory Committee	1248
Ferlo, Jim	Discussion - Various Appointments to Housing Authority	361
Ferlo, Jim	Discussion - Vintage Grand Prix	876
Ferlo, Jim	Discussion - Volunteers needed for the Pittsburgh Advisory Board Sub-Committee	84
Ferlo, Jim	Discussion - Bill 577 - Ordinance establishing the Highland Avenue Business District, Bill 578 - Cooperation Agreement with URA for construction improvements in the Highland Avenue Business District and Bill 579 - Resolution creating the Special Trust Account - Highland Avenue Business Improvement District Trust Account (COMMENTS)	1113
Ferlo, Jim	Discussion - Witness Protection Program	1150
Ferlo, Jim	Discussion Bill 1362 - An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 263, Real Property Tax and Exemption, by adding Section 263.15, Charitable or Related Tax Exemption Challenges	1841
Ferlo, Jim	Discussion Bill 159 - Directing the Director of General Services to conduct a public auction to sell cable bureau accessories	215
Ferlo, Jim	Discussion Bill 287, Creation Regional Asset District	455
Ferlo, Jim	Discussion Bill 291, Joes Cusick Appointment to Allegheny County Sanitary Authority	300
Ferlo, Jim	Discussion Bill 648 - Proclaiming June 9, 1994 to be "The Pittsburgh Project Day in the City of Pittsburgh	862
Ferlo, Jim	Discussion Bill 796 - Transfer \$100,000.00 from Code Account 45, Health/Life Insurance-Municipal Employees to Code Account 1075 B5-2, Outside Counsel and Bill 797 - Agreement for the hiring of outside counsel to assist in negotiating labor contracts for the City	1178
Ferlo, Jim	Discussion Bill 796 - Transfer \$100,000.00 from Code Account 45, Health/Life Insurance-Municipal Employees to Code Account 1075 B5-2, Outside Counsel and Bill 797 - Agreement for the hiring of outside counsel to assist in negotiating labor contracts for the City	1180
Ferlo, Jim	Discussion Bill No. 103 - Honoring African American Business and their contributions to their community, fellow business owners and youth	89
Ferlo, Jim	Discussion Bill No. 436 - Communication submitted by Tom Flaherty, submitting the Fiscal Audit of Magistrate Courts dated March 18, 1994, regarding scheduling a public hearing	622
Ferlo, Jim	Discussion Bill No. 81 - Warrant, Zoological Society of Pittsburgh	141

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion Cable Communication Advisory Committee	1367
Ferlo, Jim	Discussion on Bill's 1390, 1391 and 1392, Cable Communication Legislation	1757
Ferlo, Jim	Discussion regarding City Council Supporting Senator Fisher's proposed Bill that gives State Judges the power to deny bond to criminal defendants	153
Ferlo, Jim	Discussion the Government Alternative Operations Committee - to look at issue of the asphalt plant, the downtown parking garages, the tow pound and the issue of the under-utilization of the skating rink	1498
Ferlo, Jim	Discussion to create a Labor Management Task Force	156
Ferlo, Jim	Discussion, Asphalt Resurfacing Program	324
Ferlo, Jim	Discussion, Bill 84, Warrant for Golden Construction - Renovations to City-County Sidewalks	137
Ferlo, Jim	Discussion- "Be a Sport, Help A Kid" Program	667
Ferlo, Jim	Discussion- 394 An Ordinance amending the Pittsburgh Code, Title Nine, Article (, Board of Adjustment, Section 909.06(b)(8) - Special Exceptions In Use, is amended to prohibit the granting of a Home Occupation exception which would allow the sale of firearms and Bill 395 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Administration, Chapter 909 - Board of Adjustment, in order to create an Exception for Use in certain commercial and industrial districts, for retail and/or wholesale establishments engaged	1218
Ferlo, Jim	Discussion- Bill 298 "Street Resurfacing Program" to change various code accounts	351
Ferlo, Jim	Discussion- Ethics Commission - Appointments	800
Ferlo, Jim	Discussion-Bill No. 153 - Contract for Disposition Sale of Land by and between the URA of Pittsburgh and Spring Garden Neighborhood Council	213
Ferlo, Jim	Discussion-Bill No. 342, appointing James Rudolph as a Board Member of the Housing Authority of the City of Pittsburgh	562
Ferlo, Jim	Discussion-Letting MBE/WBE contracts through the "B" Contract	207
Ferlo, Jim	Discussion-regarding the establishment of a Pittsburgh Pirate Baseball Club Commission	63
Ferlo, Jim	Discussion - Informing Council of Dan Cohen appoint to serve on the Board of the Southwestern PA Regional Planning Commission	85
Ferlo, Jim	Discussion - Bill 1106 - Resolution providing for transfer of funds in the aggregate amount of \$4,509,000.00	1500
Ferlo, Jim	Discussion - Bill 793, Adopting Official Sewage facilities Plan for the Teledyne Industries Plan of Subdivision ---Negative Recommendation	1506
Ferlo, Jim	Discussion - Envirotest, emissions testing centralized facilities	1258
Ferlo, Jim	Discussion Community Oriented Policing Program Scheduling	1891
Ferlo, Jim	Emission testing centralized facilities	1258
Ferlo, Jim	Leading Councils Meeting of March 8, 1994 in the Pledge of Allegiance	

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Inform Council of Christopher Smith appointment to the Board of the City's anti-poverty agency, the Pittsburgh Community Service, Inc.	85
Ferlo, Jim	Informing Council of TCI Rates Public Hearing - February 22, 1994	175
Ferlo, Jim	Informing Council of the Communication he had with Lou Gaetano of Pittsburgh Sports Federation, he has been asked to resign	460
Ferlo, Jim	Informing Council of the formation of a committee to deal with any potential interested parties in the ownership of Pirates	1221
Ferlo, Jim	Informing Council of the Public Hearing on the Pirates Agreement for June 20, 1994 at 10:00 a.m.	877
Ferlo, Jim	Informing Council of visitation of Councilman Christopher Smith will Thursday, December 8, 1994 at White Memorial Chapel, 7204 Thomas Boulevard from 2:00 p.m. to 9:00 p.m.	1730
Ferlo, Jim	Informing Council that we will be receiving legislation regarding the Villa De Marrillac Nursing Home in Station Heights which is proposing a major expansion	746
Ferlo, Jim	Informing residents of Council District 9, or organizations that if there is a need for a proclamation or resolution, to contact the City Clerk at 255-2138	864
Ferlo, Jim	Introducing - Ryan Cassidy who will be leading Council's meeting of December 20, 1995 in the Pledge of Allegiance	1833
Ferlo, Jim	Introducing - Tamara Smith who will lead Council's meeting of October 11, 1994 in the Pledge of Allegiance	1458
Ferlo, Jim	Introducing Anastasia Bole and Brad Ford, who will lead Council's meeting of October 25, 1994 in the Pledge of Allegiance	1527
Ferlo, Jim	Introducing Andrew Jacobs, who will lead Council meeting of November 7, 1994 in the Pledge of Allegiance	1585
Ferlo, Jim	Introducing Benjamin Klein, who will lead council's meeting of December 27, 1994 in the Pledge of Allegiance	1182
Ferlo, Jim	Introducing Brain Harris, Madison School, who will lead council in the Pledge of Allegiance	652
Ferlo, Jim	Introducing Brittany Sextion who will lead Council Meeting of November 1, 1994 in the Pledge of Allegiance	1569
Ferlo, Jim	Introducing Clevon Owens, Langley High School, who will lead counsel meeting of August 8, 1994 in the Pledge of Allegiance	1203
Ferlo, Jim	Introducing Corey O'Connor, East Hills Elementary School who will lead council in the Pledge of Allegiance	279
Ferlo, Jim	Introducing Cynthia Piatt and Darlington Wright who will lead Council in the Pledge of Allegiance	446
Ferlo, Jim	Introducing Dan Bogus, Robinson Township Christian School, Who will lead Council in the Pledge of Allegiance	187
Ferlo, Jim	Introducing Danny Hertzberg who will lead council in the Pledge of Allegiance of May 3, 1994	679

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Introducing David Mika, leading Council's meeting of October 4, 1994 in the Pledge of Allegiance	1415
Ferlo, Jim	Introducing Elliot Sheild, East Hills Elementary School, who will lead Council Meeting of July 19, 1994 in the Pledge of Allegiance	1093
Ferlo, Jim	Introducing Eric Jankowski, from the Prince of Peace School who will lead Council meeting of April 19, 1994 in the Pledge of Allegiance	604
Ferlo, Jim	Introducing Eugene Ashley, III who will lead Council's Meeting of September 7, 1994 in the Pledge of Allegiance	1226
Ferlo, Jim	Introducing Father Jerome Burns Episcopal Priest of the Church of The Holy Cross, who will offer Benediction	17
Ferlo, Jim	Introducing J. C. Carr who will lead Council's meeting of May 31, 1994 in the Pledge of Allegiance	826
Ferlo, Jim	Introducing Jason Springer from Miller School who will lead us in the Pledge of Allegiance	163
Ferlo, Jim	Introducing John Harris, Jr. who will lead Council's meeting of June 7, 1994 in the Pledge of Allegiance	856
Ferlo, Jim	Introducing John Mascio, Danny Mascio and Dino Mascio, who will lead Council Meeting of October 18, 1994 in the Pledge of Allegiance	1489
Ferlo, Jim	Introducing Joshalyn Dollar and Jessica Galuzzi, Beechwood Elementary School who will lead Council in the pledge of allegiance	336
Ferlo, Jim	Introducing Judge Livingstone Johnson who will administer the Oath of Office of Linda Johnson-Wasler	106
Ferlo, Jim	Introducing Julnee Steele, from Manchester Elementary School who will lead Council's meeting of June 28, 1994 in the Pledge of Allegiance	983
Ferlo, Jim	Introducing Karm Blakey who will lead council's meeting of May 9, 1994 in the pledge of allegiance	722
Ferlo, Jim	Introducing Kasey Zimmick and Leonard Franklin who will lead City Council meeting of April 12, 1994 in the Pledge of Allegiance	549
Ferlo, Jim	Introducing Katrina Rectenwald who will lead councils meeting of July 5, 1994 in the Pledge of Allegiance	1050
Ferlo, Jim	Introducing Laura Liss, East Hills Elementary School, who will lead council's meeting of July 26, 1994 in the Pledge of Allegiance	1127
Ferlo, Jim	Introducing LeAnna Wright who will lead Council's meeting of December 13, 1994 in the Pledge of Allegiance	1752
Ferlo, Jim	Introducing Leah Tecza, McCleary Elementary School, who will lead council meeting of June 14, 1994 in the Pledge of Allegiance	921
Ferlo, Jim	Introducing Lee McDonald, who will lead Council meeting of November 22, 1994 in the Pledge of Allegiance	1678
Ferlo, Jim	Introducing Louis Jackson, who will lead Council's meeting of September 27, 1994 in the Pledge of Allegiance	1348

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Introducing Martin Johnson, who will lead Council Meeting of November 29, 1994 in the Pledge of Allegiance	1687
Ferlo, Jim	Introducing Melissa Kaduck, Beechview Community who lease Council's Meeting of August 2, 1994 in the Pledge of Allegiance	1159
Ferlo, Jim	Introducing Michael Bradshaw, from St. Cyrils of Alexandria who will lead us in the Pledge of Allegiance	45
Ferlo, Jim	Introducing Paul Ziminski - Who will lead council meeting of July 12, 1994 in the Pledge of Allegiance	1075
Ferlo, Jim	Introducing Reverend Leonard Roache, Lincoln Avenue Church of God, who will conduct our induction	104
Ferlo, Jim	Introducing Robert, Jacobs, Roosevelt School, who will lead Council's meeting of September 20, 1994	1272
Ferlo, Jim	Introducing Shalon Askew, Beltzhoover Elementary School who will lead us in the Pledge of Allegiance	86
Ferlo, Jim	Introducing Shanna Cavanaugh, William Penn Child Care Connection, The Young World School, who will Lead Council in the pledge of allegiance	317
Ferlo, Jim	Introducing Tamara Mayers, East Hills School	241
Ferlo, Jim	Introducing Thomas Day and Angela Back from Fort Pitt Elementary School who will lead us in the Pledge of Allegiance	66
Ferlo, Jim	Introducing Tyrone Simms, Dilworth Elementary School, who will lead council in the Pledge of Allegiance	104
Ferlo, Jim	Introducing, Kara Hertzberg, who will lead Council's meeting of December 7, 1994 in the Pledge of Allegiance	1717
Ferlo, Jim	Introducing, Patrick Chakowski, Fourth Grader from St. Catherine's of Sienna, Beechview who will lead us in the Pledge of Allegiance	19
Ferlo, Jim	Inviting Council to his Marathon Celebration Sunday from 11 to 2	668
Ferlo, Jim	Post Agenda - Administration to educate council in our involvement in the signage program	180
Ferlo, Jim	Public Addressing Council - Informing the public that on any introduction of a Resolution or Ordinance to these Chambers either by the administration or by a respective Member of Council that the public does have a right to be heard and can request a formal public hearing on a matter to contact the City Clerk's Office or your respective Council	37
Ferlo, Jim	Reconvene, recessed meeting of January 11, 1994	42
Ferlo, Jim	Requesting a post agenda for September 19, 1994 regarding the plight of the landslide victims on Pioneer Avenue, Brookline	1260
Ferlo, Jim	Requesting a formal report from Chief Burford regarding public safety incidents over this weekend	852

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Requesting an update on all the various leasing commitments that we have outstanding with the various Community Oriented Policing Stations from the City Clerk.	1589
Ferlo, Jim	Requesting Mr. Dave Keller, to prepare a financial report on any and all expenditures and obligations the we receive both direct and indirect during a pirate game	878
Ferlo, Jim	Requesting that a Special Sub-Committee be appointed to oversee the restoration of City Council Chambers. Which would include Bob O'Connor, Joe Cusick, Dan Onorato and two representative from the Historical Review Commission	38
Ferlo, Jim	Requesting the Administration to forward a formal listing of the positions that were in the layoff	1222
Ferlo, Jim	Requesting Dan Onorato to compose a separate finance committee that consist of 16 individuals to review cost savings measure for the City	1438
Ferlo, Jim	Special Commemoration for our Late colleague, the Honorable Bishop Duane Adrian Darkins	652
Ferlo, Jim	Submitting for consideration regarding the United State House of Representative Legislation 4385 involving the City of Pittsburgh Busway	1099
Ferlo, Jim	Taking the Oath of Office for President of Council	6
Ferlo, Jim	Update Special Committees for the Government Operations	1542
Ferlo, Jim	Welcoming newly elected Councilwoman Valerie McDonald, from Council District 9	1645
Ferlo, Jim	Welcoming the Honorable Mayor Tom Murphy, who will deliver his preliminary Budget Address	1620
Ferlo, Jim	Welcoming the students and teachers and friends from Oakland Catholic/ Geography Class	1572
Ferlo, Jim	Welcoming Valerie McDonald, School Board President, as well as Councilwoman Elect from Council District 9, who will lead Council in the Pledge of Allegiance, November 14, 1994	1620
Ferlo, Jim	Discussion - Bill 1159 - Resolution providing for an Easement and/or Right of Entry Agreement with Port Authority of Allegheny County and/or the Pennsylvania Department of Transportation to construct and maintain the foundation of the New Airport Busway/H.O.V. Bridge on the Monogahela Wharf	1650
Ferlo, Jim	Discussion - Financial Package received from the Administration regarding the Pirates	848
Ferlo, Jim	Discussion - Bill 305, Commonwealth Court in the Case Involving Kosmos Cement Company	455,456
Ford, Brad	Leading Council's meeting of October 25, 1994 in the Pledge of Allegiance	1527
Franklin, Leonard	Leading City Councils meeting of April 12, 1994 in the Pledge of Allegiance	549
Galuzza, Jessica	Leading Councils meeting of March 22, 1994 in the Pledge of Allegiance	336
Haggerty, William	Leading Council's meeting of May 17, 1994 in the Pledge of Allegiance	763

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Harris, Brian	Leading Council's Meeting of April 26, 1994 in the Pledge of Allegiance	652
Harris, John, Jr.	Leading Council meeting of June 7, 1994 in the Pledge of Allegiance	856
Hertzberg, Alan	Discussion - Bill 1265 - Contract to purchase and install a telecommunication system for the Department of Personnel and Civil Service	1704
Hertzberg, Alan	Discussion - to create a Labor Management Task Force	156
Hertzberg, Alan	Discussion - Cable Advisory Board Meeting/Communications	81
Hertzberg, Alan	Discussion - Informing everyone of the Basketball Game between Community Oriented Police and the Sheraden Youth Center Basketball Team February 14, 1994	185
Hertzberg, Alan	Discussion - "Be a Sport, Help A Kid" Program	666
Hertzberg, Alan	Discussion - Bill 1176, Resolution that the Council of the City of Pittsburgh shall delay action upon any ordinance which would reduce the City Amusement Tax Rate, Regional Asset	1518
Hertzberg, Alan	Commending Christopher Smith for his motion to televise the public hearing on the vacancy in the 9th Council District	776
Hertzberg, Alan	Commending Councilman Ferlo for initiative relative to the County and proposed Pirate Loan	879
Hertzberg, Alan	Concerns-Regarding the relationship with the administration for establishing a Commission for the Pittsburgh Pirate Baseball Club	62
Hertzberg, Alan	Congratulating Bob O'Connor of his investigation into the parking tax revenue	181
Hertzberg, Alan	Congratulating Linda Johnson-Wasler as the first woman to serve as City Clerk, in the City of Pittsburgh	110
Hertzberg, Alan	Congratulating Valerie McDonald as the newly elected member of Council, representing District 9	1684
Hertzberg, Alan	Discussion - HOV Busway Bridge	1866
Hertzberg, Alan	Discussion - Supporting Bill 688 - "An Ordinance amending the Pittsburgh Code, Title Six, Conduct, Chapter 616, Damaging, Defacing and interfering with Property Section 616.01, Prohibited Conduct to specifically protect parks and park fixtures from damage or defacement	1072
Hertzberg, Alan	Discussion - Amending City Charter to allow Pittsburgh Public School Employees to work for City during Summer months.	365
Hertzberg, Alan	Discussion - Article in the Post Gazette - Gang Summit	313
Hertzberg, Alan	Discussion - Article regarding the Mayor acting on his own regarding the Youth Initiative Trust Fund	785
Hertzberg, Alan	Discussion - Bill 1008 - Veto "Adopting and approving the 1993 Capital Budget and the 1993 Community Development Block Grant program and approving the 1993 through 1998 Capital Improvement Program, so as to reduce line item in Parks and Recreation, and increasing a line item in City Council	1462

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Hertzberg, Alan	Discussion - Bill 1040 - An ordinance supplementing the Pittsburgh Code, Title One-Administrative, Article VII - Procedures, Chapter 161, Contracts, by adding Section 161.27 Reports on City Council Grants(COMMENTS)	1479
Hertzberg, Alan	Discussion - Bill 1041 Resolution supplementing the City of Pittsburgh Rules of Council by adding Rule XIII, providing procedures for the authorization of grants of federal and local tax payer funds to non-profit organizations serving the residents of the City of Pittsburgh(COMMENTS)	1478
Hertzberg, Alan	Discussion - Bill 1064 - "Resolution authorizing the Director of the Department of Parks and Recreation to increase certain admission fees at the Schenley Park Ice Skating Rink"	1636
Hertzberg, Alan	Discussion - Bill 1064 - Resolution authorizing the Director of the Department of Parks and Recreation to increase certain admission fees at the Schenley park Ice Skating Rink effective immediately	1647
Hertzberg, Alan	Discussion - Bill 1112 - Resolution for an agreement for the provision of design and development of City-Wide Financial Information Systems (COMMENTS)	1523
Hertzberg, Alan	Discussion - Bill 1113 - Resolution adopting and approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program; and approving the 1994 through 1999 Capital Improvement Program by creation a new line item (CIS 94-474) Financial Information Systems (COMMENTS)	1523
Hertzberg, Alan	Discussion - Bill 1114 - Resolution creating a special trust fund to be designated as the Computer Equipment and Supplies Trust Fund (COMMENTS)	1525
Hertzberg, Alan	Discussion - Bill 1159 - Resolution providing for an Easement and/or Right-of-Entry Agreement with the Port Authority of Allegheny County and/or the Pennsylvania Department of Transportation to construct and maintain the foundation of the new Airport Busway/H.O.V. Bridge on the Monogahela Wharf (Port Authority requires release from the City of Pittsburgh to construct the foundation for the new bridge)	1639
Hertzberg, Alan	Discussion - Bill 1161 - Resolution providing for an agreement and contract with consultants and vendors for various expenses in connection with the Pittsburgh Advocacy Commission on Youth (COMMENTS)	1568
Hertzberg, Alan	Discussion - Bill 1162 - Resolution for an Agreement with the Sheraden Youth Center for Operational and/or Administrative Expenses including purchase of Equipment or Materials for the benefit of low-moderate income residents of the City (COMMENTS)	1568
Hertzberg, Alan	Discussion - Bill 1163 - Resolution authorizing and directing the Department of City Planning, Bureau of Building Inspection and Law to develop a map, a list of reported complaints, and legal action in relation to Section 8 properties in the City of Pittsburgh	1660

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Hertzberg, Alan	Discussion - Bill 1171, Cooperation Agreement with the URA of Pittsburgh providing for the designation of URA as the City's Agent for Acquisition of certain property owned by CSX Transportation, Inc. (COMMENTS)	1581
Hertzberg, Alan	Discussion - Bill 1190 - Encroachment to Union Electric Steel Corporation, 726 Bell Street, the license to construct a fence across Woodkirk Street and in the portion of Carbon Street, 28th Ward	1632
Hertzberg, Alan	Discussion - Bill 1365 - Resolution approving the Terms of and Authorizing the execution and delivery of a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh relating to the creation by the Authority of a Development Fund to stimulate residential, commercial and industrial and other development in the City at an aggregate principal amount of \$60,000,000.00	1766
Hertzberg, Alan	Discussion - Bill 1391 - An Ordinance amending and supplementing the Pittsburgh Code, Title Four, Public Places and Property, Article II, Communications, Chapter 425, Cable Communications to Establish a Maximum Late Payment Fee for the Untimely Payment of Bills for Cable Television Service and Codifying Previously Adopted Customer Service Standards	1859
Hertzberg, Alan	Discussion - Bill 361 Appointment of Rowan Miranda, Water Sewer Authority	458
Hertzberg, Alan	Discussion - Bill 375, License Agreement for the purpose of Senior Centers	641
Hertzberg, Alan	Discussion - Bill 421 - Resolution - Urging the Mayor and the City's Representatives of the Southwestern Pennsylvania Regional Planning Commission to ask the PTC to plan the Mon/Fayette Transportation project, from I-70 to I-376 as one project in order to identify the impacts and benefits to the City of Pittsburgh	930
Hertzberg, Alan	Discussion - Bill 462 - Agreement with the Pittsburgh Board of Education for the purpose of providing professional services in connection with the Summer Lunch Program	701
Hertzberg, Alan	Discussion - Bill 483 - "Barrier Awareness Day and Three Rivers Center for Independent Living Day - May 5, 1994	684
Hertzberg, Alan	Discussion - Bill 484 - Red Rebels 1993 Hockey Season	687
Hertzberg, Alan	Discussion - Bill 548 - Resolution providing for the filing of a petition for the sale of certain property, acquired at tax sales in accordance with Act No. 171 of 1984	801
Hertzberg, Alan	Discussion - Bill 593 - "Ordinance amending the Pittsburgh Code Title One-Administrative, Article VII-Procedures, Chapter 151-Contracts, by adding a new Subchapter 161.26 Automobile Purchase and Lease Contracts for the City of Pittsburgh	872
Hertzberg, Alan	Discussion - Bill 595 - Amending Resolution 181/1994, Sale of a 3 sty. brk. apt 619-621 Junilla Street	869
Hertzberg, Alan	Discussion - Bill 627 and 630, Station Square Phase II Project; Thanking the Administration	935

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Hertzberg, Alan	Discussion - Bill 687 - "Title Nine, Zoning, by eliminating the community Parking area use and the major parking area use in the "C5" Golden Triangle	1190
Hertzberg, Alan	Discussion - Bill 687 - "Title Nine, Zoning, by eliminating the Community Parking area use and the major parking area use in the "C5" Golden Triangle	1196
Hertzberg, Alan	Discussion - Bill 793, Adopting Official Sewage Facilities Plan for Envirotech Partners, Teledyne Industries, Plan of Subdivision, located on Idlewood Road, 28th Ward	1298
Hertzberg, Alan	Discussion - Bill 796 - Transfer \$100,000 from Code Account 45, Health/Life Insurance Employees to Code Account 1075 B5-2, Outside Counsel (COMMENTS)	1200
Hertzberg, Alan	Discussion - Bill 797 - Agreement for the hiring of outside counsel to assist in negotiating Labor Contracts - (COMMENTS)	1200
Hertzberg, Alan	Discussion - Bill 84, Warrant for Golden Construction - Renovations to City County Building Sidewalks	139
Hertzberg, Alan	Discussion - Bill 905, Ordinance amending the Pittsburgh Code of Ordinance, Title Six, Conduct Article I, Regulated Rights and Actions, Chapter 611, "Alarms", Section 611.01 "Definitions", Section 611.04 "Repeated False Alarms", Section 611.07, "False Alarm Penalty" by changing the definition of a "false alarm" and repeated false alarms" by changing the fees established for false alarms and by adding an additional group of exempt institutions	1411
Hertzberg, Alan	Discussion - Bill 922 - Declaring the week of August 7 through 12/"Neighborhood Beautification Week"	1167
Hertzberg, Alan	Discussion - Bill 926 - An ordinance supplementing the Pittsburgh Code, Title Six-Conduct, Article I, Regulated Rights and Actions, by adding Chapter 602 Minors (COMMENTS)	1262
Hertzberg, Alan	Discussion - Bill 926, An Ordinance, supplementing the Pittsburgh Code, Title Six-Conduct, Article I, Regulated Rights and Actions, by adding Chapter 602 - Minors	1251
Hertzberg, Alan	Discussion - Bill No 1160 - Providing for the filing of Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a Grant in Connection with the 1993 Community Development Block Grant Program. So as to Decrease Line Item Youth Commission in the Department of Parks Recreation and add Line Item Sheraden Youth Center (COMMENTS)	1568
Hertzberg, Alan	Discussion - Bill No 350, Agreement for the hiring of counsel to assist the City of representation of the City for outside legal counsel	564
Hertzberg, Alan	Discussion - Bill No. 134, Urging the School District of the City of Pittsburgh to immediately adopt a Gentrification Program for the Year 1994	125
Hertzberg, Alan	Discussion - Bill No. 134, Urging the School District of the City of Pittsburgh to immediately adopt a Gentrification Program for the Year 1994	127

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Hertzberg, Alan	Discussion - Bill No. 18, License with National Development Corporation to construct a one double faced Business Sign	142
Hertzberg, Alan	Discussion - Bill No. 294, Commending Councilmember Bob O'Connor for recognizing Greek Week	319
Hertzberg, Alan	Discussion - Bill No. 971 - A resolution amending the Pittsburgh Code, Title VI--Regulated Rights and Actions, Chapter 601.08, 'Alcohol or Liquor Consumption on Streets or Sidewalks, by providing for a City-wide ban on the consumption and possession of alcoholic beverages under certain terms and conditions (Open Container Law)	1293
Hertzberg, Alan	Discussion - Cable Advisory Committee, requesting a report on vacancy	1367
Hertzberg, Alan	Discussion - City's Ethics Commission	776
Hertzberg, Alan	Discussion - Community Oriented Police Program	1372
Hertzberg, Alan	Discussion - Developing a Marketing Team for Neighborhood Pittsburgh, Inc.	268
Hertzberg, Alan	Discussion - Gang Summit in Pittsburgh	256
Hertzberg, Alan	Discussion - Gang Summit in Pittsburgh	265
Hertzberg, Alan	Discussion - Housing Authority Appointments	362
Hertzberg, Alan	Discussion - Housing Authority Appointments	368
Hertzberg, Alan	Discussion - Informing Council of Post Agenda regarding tax delinquent real estate sale and procedures	562
Hertzberg, Alan	Discussion - Law Enforcement people on Horseback	618
Hertzberg, Alan	Discussion - Minority Business Enterprise/Women's Business Enterprise (COMMENTS)	1598
Hertzberg, Alan	Discussion - Phillips Park Pool	1221
Hertzberg, Alan	Discussion - Post Agenda - Swimming Pool Life Guard Issue	272
Hertzberg, Alan	Discussion - Post agenda meeting on life guards and swimming pools	298
Hertzberg, Alan	Discussion - Recommital of Bill 283, "Second Class City Treasurer Sale and Collection Act to A. H. I. Development	350
Hertzberg, Alan	Discussion - Regarding Leaflet Advertisement for Summer Lifeguard Positions	221
Hertzberg, Alan	Discussion - Robert's Rules of Order - Pirate Indebtedness Loan - Bill 681	1068
Hertzberg, Alan	Discussion - Suspend Rule 8 on Bill No. 24	34
Hertzberg, Alan	Discussion - TCI	1854
Hertzberg, Alan	Discussion - TCI Legislation	215
Hertzberg, Alan	Discussion - transfers of activities to the Water and Sewer Authority	1828
Hertzberg, Alan	Discussion - Vintage Grand Prix	876
Hertzberg, Alan	Discussion - Witness Protection Program	1152
Hertzberg, Alan	Discussion Bill 1362 - An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 263, Real Property Tax and Exemption, by adding Section 263.15, Charitable or Related Tax Exemption Challenges	1841

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Hertzberg, Alan	Discussion Bill 569 - Public Sanitary Sewers to serve 15 existing homes along Glasgow Street, Sacramento Street, Merwyn Avenue, Conestoga Avenue, Oterson Street and Washville Street, 20th Ward (COMMENTS)	853
Hertzberg, Alan	Discussion Bill 569 - Public Sanitary Sewers to service (15) existing homes along Glasgow Street, Sacramento Street, Merwyn Avenue, Conestoga Avenue, Oterson Street & Washville Street, 20th Ward	882
Hertzberg, Alan	Discussion Bill 857- Commending the Three Rivers Center of Independent Living	1133
Hertzberg, Alan	Discussion Bill No. 793 - Adopting Official Sewage Facilities Plan for Envirotest Partners, Tledyne Industries, 28th Ward	1257
Hertzberg, Alan	Discussion Bills No. 1053 through 1061 (COMMENTS)-	1484
Hertzberg, Alan	Discussion on Bill 627, Cooperation Agreement - URA - Phase II Station Square Road and Bill 630, Amending Resolution 1455/1993, Approving the 1994 Capital Budge, by adding a new line item Station Square Road (REMARKS)	941
Hertzberg, Alan	Discussion on Bill's 1390, 1391 and 1392, Cable Communication Legislation	1756
Hertzberg, Alan	Discussion regarding City Council Supporting Senator Fisher's proposed Bill that gives State Judges the power to deny bond to criminal defendants	149
Hertzberg, Alan	Discussion- Bill 298 "Street Resurfacing Program" to change various code accounts	353
Hertzberg, Alan	Discussion-Bill No. 153 - Contract for Disposition Sale of Land by and between the URA of Pittsburgh and Spring Garden Neighborhood Council	213
Hertzberg, Alan	Discussion - Bill 793, Adopting Official Sewage Facilities Plan for the Teledyne Industries Plan of Subdivision ---Negative Recommendation	1508
Hertzberg, Alan	Discussion - Envirotest, emissions testing centralized facilities	1258
Hertzberg, Alan	Informing Council of the Communication he had with Lou Gaetano of Pittsburgh Sports Federation, he has been asked to resign	459
Hertzberg, Alan	Informing Council that the Mayor will be hold a community meeting, Saturday, February 26, 1994 at 200 Tabor Street	216
Hertzberg, Alan	Introducing, Eric Hertzberg, Bill Christner and Noree Payne, they are sponsoring a "Barrier Awareness Recognition Day May 5, 1994	683
Hertzberg, Alan	Leading Council in the Pledge of Allegiance May 3, 1994	679
Hertzberg, Alan	Taking the Oath of Office	4
Hertzberg, Kara	Leading Council's meeting of December 7, 1994 in the Pledge of Allegiance	1717
Hertzburg, Alan	Discussion Bill No. 81 - Warrant Zoological Society of Pittsburgh	140
Herztberg, Alan	Discussion - Bill 364 - Opposing any involvement by the University of Pittsburgh in the Mount Graham Telescope Project	537

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Hertzberg, Alan	Discussion - Bill 770 - Commending State Senator Michael Dawida Senate Bill #1785, by creating two lottery games a year that would prove a source of funds for repayment of bonds on economic development projects	1078
Honorable Cherly Allen Craig	Administering the Oath of Office to Valerie A. McDonald	1680
Honorable Cynthia Baldwin	Administering the Oath of Office to Valerie A. McDonald	1680
Honorable Justin Johnson	Administering the Oath of Office to Valerie A. McDonald	1680
Huey, Neil	Acceptance Bill No. 14 - Commending the Rogers School for the Creative and Performing Arts and the Highland Park Community Club for their efforts in removing blight and creating a work of art on Hill Road in Highland Park	30
J. C. Carr	Leading Council's Meeting of May 31, 1994 in the Pledge of Allegiance	826
Jackson, Louis	Leading Council's meeting of September 27, 1994 in the Pledge of Allegiance	1348
Jacobs, Andrew	Leading Council's meeting of November 7, 1994 in the Pledge of Allegiance	1585
Jacobs, Robert	Leading Council's meeting of September 20, 1994 in the Pledge of Allegiance	1272
Jankowski, Eric	Leading City Council's meeting of April 19, 1994 in the Pledge of Allegiance	604
John Mascio	Leading Council's Meeting of October 18, 1994 in the Pledge of Allegiance	1489
Johnson, Martin	Leading Council's meeting of November 29, 1994 in the Pledge of Allegiance	1687
Judge Johnson	Administering Oath of Office to Linda M. Johnson-Wasler, City Clerk	106
Kaduck, Melissa	Leading Council Meeting of August 2, 1994 in the Pledge of Allegiance	1159
Kindrey, Louis	Acceptance - Bill No. 10 - Recognizing the Volunteer services rendered to the Jake Milliones Memorial Halloween Party and Parade	25

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Klein, Benjamin	Leading Council Meeting of December 27, 1994 in the Pledge of Allegiance	1882
Linda Johnson -Wasler	Discussion - Bill 595 - Amending Resolution 181/1994, Sale of a 3 sty. brk. apt 619-621 Junilla Street	869
Liss, Laura	Leading Council Meeting of July 26, 1994 in the Pledge of Allegiance	1127
Mayers, Tamara	Leading City Council meeting of March 1, 1994 in the Pledge of Allegiance	241
McDonald, Valerie	discussion - Proposed 1995 City Budget	1830
McDonald, Lee	Leading Council's Meeting of November 22, 1994 in the Pledge of Allegiance	1678
McDonald, Valerie	Discussion - Bill 1265 - Contract to purchase and install a telecommunication system for the Department of Personnel and Civil Service	1703
McDonald, Valerie	Discussion - Bill 1362 - An Ordinance amending the Pittsburgh Code, Title Two, Fiscal Article IX, Property Taxes Chapter, 263, Real property Tax and Exemption by adding Section 263.15 Charitable or related Tax Exemption challenges (COMMENTS)	1868
McDonald, Valerie	Discussion - Bill 1391 - An Ordinance amending and supplementing the Pittsburgh Code, Title Four, Public Places and Property, Article II, Communications, Chapter 425, Cable Communications to Establish a Maximum Late Payment Fee for the Untimely Payment of Bills for Cable Television Service and Codifying Previously Adopted Customer Service Standards	1860
McDonald, Valerie	Discussion - TCI Cable	1855
Milliones, Alioi	Acceptance - Bill No. 10 - Recognizing the Volunteer services rendered to the Jake Milliones Memorial Halloween Party and Parade	25
Mr. Pool	Acceptance - Bill No. 11, recognizing those African American Business which supported the Jake Milliones Memorial Halloween Parade	26
Mr. Stemley	Acceptance Bill No. 9 - Recognizing the 3-5 Community Advocates, recognizing Westinghouse High School Band	24
Murphy, Tom	Congratulating Valerie A. McDonald, for her certification as the 9th Council District Council person	1682
Murphy, Tom	Delivery his preliminary Budget Address, November 14, 1994	1620
Perry, Michael	Introducing - Judge Ron Folino, Court of Common Pleas, to Administer the Oath of Office to Dan Cohen	4
O'Connor, Bob	Discussion - Gang Summit in Pittsburgh	254 310

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
O'Connor, Bob	Commending Councilman Ferlo for initiative relative to the County and proposed Pirate Loan	880
O'Connor, Bob	Congratulating Linda Johnson-Wasler as the first woman to serve as City Clerk, in the City of Pittsburgh	109
O'Connor, Bob	Congratulating Valerie McDonald as the newly elected member of Council, representing District 9	1685
O'Connor, Bob	Discussion - HOV Busway Bridge	1864
O'Connor, Bob	Discussion - Article in the Post Gazette - Gang Summit	311
O'Connor, Bob	Discussion - Article regarding the Mayor acting on his own regarding the Youth Initiative Trust Fund	785
O'Connor, Bob	Discussion - Bill 1006 - Ordinance amending the Pittsburgh Code, Title 9, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 12 and Map No. 17, by changing from "R2" Two-Family Residence District to "R3" Multiple Family Residence District (COMMENTS)	1156
O'Connor, Bob	Discussion - Bill 1008 - Veto "Adopting and approving the 1993 Capital Budget and the 1993 CDBG program and approving the 1993 through 1998 Capital Improvement Program, so as to reduce line item in Parks and Recreation, and increasing a line item in City Council	1464
O'Connor, Bob	Discussion - Bill 1064 - Increase certain admission fees at the Schenley Park Ice Skating Rink"	1637
O'Connor, Bob	Discussion - Bill 1067 - Resolution for a license to Duquesne Light Campaign for the installation, removal (2) poles and (3) anchors on property Identified as Schenley Park Golf Course (COMMENTS)	1487
O'Connor, Bob	Discussion - Bill 1125 - Strongly urging the United States Senators, United States Representatives, the Pennsylvania State Legislature and the Governor to adopt a decentralized plan for auto emissions testing similar to the current inspection program	1436
O'Connor, Bob	Discussion - Bill 1159 - Resolution providing for an Easement and/or Right-of-Entry Agreement with the Port Authority of Allegheny County and/or the Pennsylvania Department of Transportation to construct and maintain the foundation of the new Airport Busway/H.O.V. Bridge on the Monogahela Wharf (Port Authority requires release from the City of Pittsburgh to construct the foundation for the new bridge)	1641
O'Connor, Bob	Discussion - Bill 1163 - Resolution authorizing and directing the Department of City Planning, Bureau of Building Inspection and Law to develop a map, a list of reported complaints, and legal action in relation to Section 8 properties in the City of Pittsburgh	1660
O'Connor, Bob	Discussion - Bill 1176, Resolution that the Council of the City of Pittsburgh shall delay action upon any Ordinance which would reduce the City Amusement Tax Rate, Regional Asset	1518
O'Connor, Bob	Discussion - Bill 1265 - Contract to purchase and install a telecommunication system for the Department of Personnel and Civil Service	1700

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
O'Connor, Bob	Discussion - Bill 1265 - Contract to purchase and install a telecommunication system for the Department of Personnel and Civil Service	1703
O'Connor, Bob	Discussion - Bill 1362 - An Ordinance amending the Pittsburgh Code, Title Two, Fiscal Article IX, Property Taxes Chapter, 263, Real property Tax and Exemption by adding Section 263.15 Charitable or related Tax Exemption challenges (COMMENTS)	1868
O'Connor, Bob	Discussion - Bill 1391 - An Ordinance amending and supplementing the Pittsburgh Code, Title Four, Public Places and Property, Article II, Communications, Chapter 425, Cable Communications to Establish a Maximum Late Payment Fee for the Untimely Payment of Bills for Cable Television Service and Codifying Previously Adopted Customer Service Standards	1860
O'Connor, Bob	Discussion - Bill 386, Declaring April 9, 1994 as "The Champions Association Inc. Day in the City	553
O'Connor, Bob	Discussion - Bill 387 - Occupational Therapy Month April, 1994	554
O'Connor, Bob	Discussion - Bill 395 - An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, , I, Administration, Chapter 909 - Board of Adjustment, in order to create an Exception for Use in certain Commercial and industrial districts, for retail and/or wholesale establishments engaged in the sale of firearms (COMMENTS)	1223
O'Connor, Bob	Discussion - Bill 421 - Resolution - Urging the Mayor and the City's Representatives of the Southwestern Pennsylvania Regional Planning Commission to ask the PTC to plan the Mon/Fayette Transportation project, from I-70 to I-376 as one project in order to identify the impacts and benefits to the City of Pittsburgh	931
O'Connor, Bob	Discussion - Bill 449, Saluting the Bishop Duane Adrian Darkins	658
O'Connor, Bob	Discussion - Bill 483 - "Barrier Awareness Day and Three Rivers Center for Independent Living Day - May 5, 1994	684
O'Connor, Bob	Discussion - Bill 485 - Declaring the Month of May Mediation Month in the City of Pittsburgh	689
O'Connor, Bob	Discussion - Bill 494 - Agreement Construction Inspection for Phase I of the City's Fifth/Forbes Street Improvement Project	803
O'Connor, Bob	Discussion - Bill 497 - Cooperative Agreement between the City of Pittsburgh and the Borough of West Homestead in connection with milling and paving of Basic Avenue (REMARKS)	787
O'Connor, Bob	Discussion - Bill 580 - Conditional Use Exception - Title Nine, Zoning Article V, Chapter 993, to the Stadium Authority for authorization to construct a new electronic message sign of 1200 sq. ft. on the roof of the Three Rivers Stadium above Gate C, 22nd Ward (REMARKS)	963
O'Connor, Bob	Discussion - Bill 687 - "Title Nine, Zoning, by eliminating the community Parking area use and the major parking area use in the "C5" Golden Triangle District"	1191

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
O'Connor, Bob	Discussion - Bill 762 - Agreement - Consultant for purpose of conducting Planning and Management Studies	1123
O'Connor, Bob	Discussion - Bill 770 - Commending State Senator Michael Dawida Senate Bill #1785, by creating two lottery games a year that would proved a source of funds for repayment of bonds on economic development projects	1080
O'Connor, Bob	Discussion - Bill 793, Adopting Official Sewage Facilities Plan for Envirotech Partners, Teledyne Industries, Plan of Subdivision, located on Idlewood Road, 28th Ward	1300
O'Connor, Bob	Discussion - Bill 922 - Declaring the week of August 7 through 12 to be "Neighborhood Beautification Week" in the City of Pittsburgh	1169
O'Connor, Bob	Discussion - Bill 926, An Ordinance, supplementing the Pittsburgh Code, Title Six-Conduct, Article I, Regulated Rights and Actions, by adding Chapter 602 -	1255
O'Connor, Bob	Discussion - Bill No. 134, Urging the School District of the City of Pittsburgh to immediately adopt a Gentrification Program for the Year 1994	127
O'Connor, Bob	Discussion - Bill No. 134, Urging the School District of the City of Pittsburgh to immediately adopt a Gentrification Program for the Year 1994	129
O'Connor, Bob	Discussion - Bill No. 18, License with National Development Corporation to construct a double faced business sign	143
O'Connor, Bob	Discussion - Bill No. 197 - Western Pennsylvania Conservancy Public Greenway	248
O'Connor, Bob	Discussion - Bill No. 394, Ordinance amending the Pittsburgh Code, Title Nine, Article I, Board of Adjustment, Section 909.06 (b)(8) - Special Exceptions in Use, is amended to prohibit the granting of a Home Occupation exception which would allow the sale of firearms (COMMENTS)	1223
O'Connor, Bob	Discussion - Bill No. 420 - Declaring April 18, 1994 to April 25, 1994 to be "Organ and Tissues Donor Awareness Week	608
O'Connor, Bob	Discussion - Bill No. 971 - A resolution amending the Pittsburgh Code, Title VI--Regulated Rights and Actions, Chapter 601.08, ' Alcohol or Liquor Consumption on Streets or Sidewalks, by providing for a City-wide ban on the consumption and possession of alcoholic beverages under certain terms and conditions (Open Container Law)	1295
O'Connor, Bob	Discussion - Carbon Monoxide Legislation	220
O'Connor, Bob	Discussion - Gang Summit in Pittsburgh	263
O'Connor, Bob	Discussion - Housing Authority Appointments	370
O'Connor, Bob	Discussion - Law Enforcement Officer on Horseback	619
O'Connor, Bob	Discussion - Meeting held with representative from Harrisburg, Ivan Itkins Office re; VASCAR	746
O'Connor, Bob	Discussion - Minority Business Enterprise/Women's Business Enterprise (COMMENTS)	1598
O'Connor, Bob	Discussion - Motion to Reopen Budget	707

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
O'Connor, Bob	Discussion - On Bill 1403 - 1408 Cooperation Agreement with the Allegheny Regional Asset District, National Aviary, Inc., Zoological Society of Pittsburgh, Phipps Conservatory, Inc., Carnegie Institute, Inc., Carnegie Library of Pittsburgh	1892
O'Connor, Bob	Discussion - Post Agenda must be postpone, Director Krasweski has two major problems, two landsides on a major sewer problem	366
O'Connor, Bob	Discussion - Proposed 1995 City Budget	1831
O'Connor, Bob	Discussion - Public Safety Community Oriented Police Program meeting held in his district	1370
O'Connor, Bob	Discussion - Regarding proposed legislation, Creating exceptional use for business engaged in sale of firearms, the sale of firearms and business license for all those engaged in firearm sale	568, 569
O'Connor, Bob	Discussion - Robert's Rules of Order - Pirate Indebtedness Loan - Bill 681	1069
O'Connor, Bob	Discussion - Snow Removal	316
O'Connor, Bob	Discussion - TCI	1853
O'Connor, Bob	Discussion - That the City of Pittsburgh has gone one year without suffering a loss of child's life in a fire.	634
O'Connor, Bob	Discussion - Vacancy of 9th District Council Seat	736
O'Connor, Bob	Discussion - Vintage Grand Prix	877
O'Connor, Bob	Discussion Bill 1362 - An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 263, Real Property Tax and Exemption, by adding Section 263.15, Charitable or Related Tax Exemption Challenges	1843
O'Connor, Bob	Discussion Bill No 457 Agreement for Architectural/Engineering Services and Bill 459 Contract for the installation of Traffic Signal Equipment (COMMENTS)	750
O'Connor, Bob	Discussion Bill No. 103 - Honoring African American Business and their contributions to their community, fellow business owners and youth	89
O'Connor, Bob	Discussion- "Be a Sport, Help A Kid" Program	666
O'Connor, Bob	Discussion- Bill 298 "Street Resurfacing Program" to change various code accounts	353
O'Connor, Bob	Discussion-Regarding article in newspaper "Without Revenue Sharing We're Out of Her"	58
O'Connor, Bob	Discussion - Bill 658, Transfer of Interest affecting the franchise of TCI of Pennsylvania, Inc. and authorizing Agreements to effectuate the City's Approval (REMARKS)	967
O'Connor, Bob	Discussion - Bill 793, Adopting Official Sewage Facilities Plan for the Teledyne Industries Plan of Subdivision ---Negative Recommendation	1506
O'Connor, Bob	Discussion - Bill 793, Adopting Official Sewage Facilities Plan for the Teledyne Industries Plan of Subdivision ---Negative Recommendation	1509
O'Connor, Bob	Supporting - Bill 1149 - "Urging the Mayor of the City of Pittsburgh to use the resources of his office to explore all opportunities for public ownership of a minority share of the Pirates	1476

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
O'Connor, Bob	Updating the investigation relating to the parking tax revenue	180
O'Connor, Corey	Leading Councils Meeting of March 8, 1994 in the Pledge of Allegiance	279
O'Connor, Bob	Discussion - Bill 471 - URA to submit an application to the Pennsylvania Department of Community Affairs for the designation of the Haxelwood/Hays and a portion of the South Oakland Area (COMMENTS)	748
Onorato, Dan	Discussion - Bill No. 134, Urging the School District of the City of Pittsburgh to immediately adopt a Gentrification Program for the Year 1994	125
Onorato, Dan	Bill 1047 - Cooperation Agreement with Allegheny County - design and construction of widening of Ross Street in conjunction with County Court House Sidewalk Project (COMMENTS)	1558
Onorato, Dan	Commending Councilman Dan Cohen for his hard work and leadership on the issue with TCI	1553
Onorato, Dan	Commending Councilman Hertzberg for establishing a Market Team for Neighborfair Pittsburgh, Inc.	269
Onorato, Dan	Commending the budget document that is respectfully dedicated to the memories of Councilman Jake Milliones, Councilman Duane A. Darkins and Councilman Christopher Smith	1831
Onorato, Dan	Congratulating Bob'Connor of his investigation into the parking tax revenue	182
Onorato, Dan	Congratulating Councilman Christopher Smith on his appointment to the Urban Redevelopment Authority Board of Directors	44
Onorato, Dan	Congratulating Linda Johnson-Wasler as the first woman to serve as City Clerk, in the City of Pittsburgh	109
Onorato, Dan	Congratulating Valerie McDonald as the newly elected member of Council, representing District 9	1685
Onorato, Dan	Discussion - ALCOSAN - Odor on North Side	939
Onorato, Dan	Discussion - Article in the Post Gazette - Gang Summit	302
Onorato, Dan	Discussion - Article in the Post Gazette - Gang Summit	314
Onorato, Dan	Discussion - Bill 1006 - Ordinance amending the Pittsburgh Code, Title 9, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 12 and Map No. 17, by changing from "R2" Two-Family Residence District to "R3" Multiple Family Residence District (COMMENTS)	1556
Onorato, Dan	Discussion - Bill 1008 - Veto "Adopting and approving the 1993 Capital Budget and the 1993 Community Development Block Grant program and approving the 1993 through 1998 Capital Improvement Program, so as to reduce line item in Parks and Recreation, and increasing a line item in City Council	1463
Onorato, Dan	Discussion - Bill 1064 - Resolution authorizing the Director of the Department of Parks and Recreation to increase certain admission fees at the Schenley park Ice Skating Rink effective immediately	1647

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Onorato, Dan	Discussion - Bill 1159 - Resolution providing for an Easement and/or Right-of-Entry Agreement with the Port Authority of Allegheny County and/or the Pennsylvania Department of Transportation to construct and maintain the foundation of the new Airport Busway/H.O.V. Bridge on the Monogahela Wharf (Port Authority requires release from the City of Pittsburgh to construct the foundation for the new bridge)	1640
Onorato, Dan	Discussion - Bill 1163 - Resolution authorizing and directing the Department of City Planning, Bureau of Building Inspection and Law to develop a map, a list of reported complaints, and legal action in relation to Section 8 properties in the City of Pittsburgh	1660
Onorato, Dan	Discussion - Bill 1176, Resolution that the Council of the City of Pittsburgh shall delay action upon any Ordinance which would reduce the City Amusement Tax Rate, Regional Asset	1516
Onorato, Dan	Discussion - Bill 1265 - Contract to purchase and install a telecommunication system for the Department of Personnel and Civil Service	1701
Onorato, Dan	Discussion - Bill 1265 - Resolution for a Contract to purchase and install a telecommunication system for the Department of Personnel and Civil Service (COMMENTS)	1265
Onorato, Dan	Discussion - Bill 1265 - Resolution for a contract to purchase and install a telecommunication system for the Department of Personnel and Civil Service (COMMENTS)	1773
Onorato, Dan	Discussion - Bill 1363 - Supplementing the Pittsburgh Code Title II, Fiscal, Article IX, Property Taxes, by amending Chapter 263, Real Property Tax, Section 263.13, Procedures, by providing for a means for City residents to file a single application with the Allegheny County Board of Property Assessment, Appeals and Review thereby simplifying participation in the program" (COMMENTS)	1845
Onorato, Dan	Discussion - Bill 388 Commending the United Way of Allegheny County, Mellon Bank, and the Corporate Volunteer Council for their dedication in organizing the efforts of many volunteer program throughout the region	556
Onorato, Dan	Discussion - Bill 421 - Resolution - Urging the Mayor and the City's Representatives of the Southwestern Pennsylvania Regional Planning Commission to ask the PTC to plan the Mon/Fayette Transportation project, from I-70 to I-376 as one project in order to identify the impacts and benefits to the City of Pittsburgh	932
Onorato, Dan	Discussion - Bill 580 - Conditional Use Exception - Title Nine, Zoning Article V, Chapter 993, to the Stadium Authority for authorization to construct a new electronic message sign of 1200 sq. ft. on the roof of the Three Rivers Stadium above Gate C, 22nd Ward	963
Onorato, Dan	Discussion - Bill 592 - Agreement with Psychologist for professional psychological services for 1994 (COMMENTS)	884

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Onorato, Dan	Discussion - Bill 729 - Cooperation Agreement - Implementation of Housing for Low & Moderate Income Families	1122
Onorato, Dan	Discussion - Bill 736 - Supporting the Pittsburgh Cycling Coalition called the Carnegie Bike Way	1051
Onorato, Dan	Discussion - Bill 793, Adopting Official Sewage Facilities Plan for Envirotech Partners, Teledyne Industries, Plan of Subdivision, located on Idlewood Road, 28th Ward	1299
Onorato, Dan	Discussion - Bill 795 - A Resolution entitled, "Resolution providing for Joinder by the City of Pittsburgh in a Petition to the Court of Common Pleas, Orphans' Court Division, to Add a New Class of Trustees to the Board of Trustees of the Carnegie Library of Pittsburgh	1146
Onorato, Dan	Discussion - Bill 798 - Agreement with a professional consultant firm to prepare the annual defense spending report for the City of Pittsburgh (COMMENTS)	1201
Onorato, Dan	Discussion - Bill 922 - Declaring the week of August 7 through 12 to be "Neighborhood Beautification Week" in the City of Pittsburgh	1167
Onorato, Dan	Discussion - Bill 926, An Ordinance, supplementing the Pittsburgh Code, Title Six-Conduct, Article I, Regulated Rights and Actions, by adding Chapter 602 -	1253
Onorato, Dan	Discussion - Bill 926, An Ordinance, supplementing the Pittsburgh Code, Title Six-Conduct, Article I, Regulated Rights and Actions, by adding Chapter 602 -	1255
Onorato, Dan	Discussion - Bill No. 134, Urging the School District of the City of Pittsburgh to immediately adopt a Gentrification Program for the Year 1994	128
Onorato, Dan	Discussion - Bill No. 18, License with National Development Corporation to construct a double faced business sign	144
Onorato, Dan	Discussion - Bill No. 357, Resolution directing the Solicitor and Chief of Police in consultation with City Council to convene a Community and Law Enforcement Conference	565
Onorato, Dan	Discussion - Bill No. 374 (REMARKS)	639
Onorato, Dan	Discussion - Bill No. 971 - A resolution amending the Pittsburgh Code, Title VI--Regulated Rights and Actions, Chapter 601.08, 'Alcohol or Liquor Consumption on Streets or Sidewalks, by providing for a City-wide ban on the consumption and possession of alcoholic beverages under certain terms and conditions (Open Container Law)	1294
Onorato, Dan	Discussion - Community Oriented Police Program	1371
Onorato, Dan	Discussion - Envirotech	1368
Onorato, Dan	Discussion - Financial Package received from the Administration regarding the Pirates	848
Onorato, Dan	Discussion - Four Homes that have some type of land subsiding, located on Pioneer Avenue, Brookline	632
Onorato, Dan	Discussion - Gang Summit in Pittsburgh	254

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Onorato, Dan	Discussion - Gang Summit in Pittsburgh	259
Onorato, Dan	Discussion - General Obligation Bonds	219
Onorato, Dan	Discussion - Housing Authority Appointments	364
Onorato, Dan	Discussion - HUD actions regarding the Allegheny Commons East	1436
Onorato, Dan	Discussion - ill 84, Warrant for Golden Triangle Construction - Renovations to City-County Building Sidewalks	137
Onorato, Dan	Discussion - Letter received from Alcosan regarding the odor on the North Side	960
Onorato, Dan	Discussion - Mayor's announcement of a proposed Giant Eagle off Ivory Avenue	1729
Onorato, Dan	Discussion - Minority Business Enterprise/Women's Business Enterprise (COMMENTS)	1598
Onorato, Dan	Discussion - Motion to reopen the budget	710
Onorato, Dan	Discussion - Mr. Flaherty's Audit of Police Hiring	101
Onorato, Dan	Discussion - Newspaper article on Boot Camps	546
Onorato, Dan	Discussion - Proposed 1995 City Budget	1829
Onorato, Dan	Discussion - Regarding asking for response in regards to how people are being paid for the day the City shut down, during snow storm	38
Onorato, Dan	Discussion - Requesting Mike Perry to Contact the Administration and request that they send a resume file on each individual prior to their appointments in Various Departments	39
Onorato, Dan	Discussion - Riverview Park, Public Works Division 1, dumping of debris	993
Onorato, Dan	Discussion - Robert's Rules of Order - Pirate Indebtedness Loan - Bill 681	1067
Onorato, Dan	Discussion Bill 305, Commonwealth Court in the Case Involving Kosmos Cement Company	456
Onorato, Dan	Discussion Bill 648 - Proclaiming June 9, 1994 to be "The Pittsburgh Project Day in the City of Pittsburgh	862
Onorato, Dan	Discussion Bill 796 - Transfer \$100,000.00 from Code Account 45, Health/Life Insurance-Municipal Employees to Code Account 1075 B5-2, Outside Counsel and Bill 797 - Agreement for the hiring of outside counsel to assist in negotiating labor contracts for the City	1181
Onorato, Dan	Discussion Bill No. 793 - Adopting Official Sewage Facilities Plan for Envirotec Partners, Tledyne Industries, 28th Ward	1257
Onorato, Dan	Discussion on Bill's 1390, 1391 and 1392, Cable Communication Legislation	1756
Onorato, Dan	Discussion- Bill 298 "Street Resurfacing Program" to change various code accounts	353
Onorato, Dan	Discussion- Bill No. 374 - Transfer \$243,374.00 from Code Account 1843, Senior Citizens Program to Code Account Senior Citizens Trust Fund	624
Onorato, Dan	Discussion- Constituents who made a public complaint regarding pan handlers	461
Onorato, Dan	Discussion-Letting MBE/WBE contracts through the "B" Contract	207

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Onorato, Dan	Discussion - Suspend Rule 8 on Bills No. 25 and No. 26	34
Onorato, Dan	Discussion - Bill 1106 - Resolution providing for transfer of funds in the aggregate amount of \$4,509,000.00	1500
Onorato, Dan	Discussion - Bill 793, Adopting Official Sewage Facilities Plan for the Teledyne Industries Plan of Subdivision ---Negative Recommendation	1507
Onorato, Dan	Supporting - Bill 1149 - "Urging the Mayor of the City of Pittsburgh to use the resources of his office to explore all opportunities for public ownership of a minority share of the Pirates	1475
Onorato, Dan	Supporting, Councilman Joe Cusick's for assistant involved with the resident of the landslide on Pioneer Avenue, Brookline	1306
Onorato, Dan	Supporting, Mr. O'Connors request that a commission be established that ensure that Pirate Baseball Club remains in the City	59
Onorato, Dan	Discussion regarding City Council Supporting Senator Fisher's proposed Bill that gives State Judges the power to deny bond to criminal defendants	150
Onorato, Dan	Discussion - Bill 770 - Commending State Senator Michael Dawida Senate Bill #1785, by creating two lottery games a year that would proved a source of funds for repayment of bonds on economic development projects	1079
Owens, Clevon	Leading Council meeting of August 8, 1994 in the Pledge of Allegiance	1203
Perry, Michael	Discussion-Welcoming public to the 128th Council Swearing in Ceremony	1
Perry, Michael	Introducing Father Richard Infante, Assistant Pastor of St. Joseph and Immaculate Conception Churches of Bloomfield, who will deliver invocation	1
Perry, Michael	Introducing the Honorable Dan Diven, District Justice, 20th Ward, to administer the Oath of Office to Alan Hertzberg	4
Perry, Michael	Introducing the Honorable Henry R. Smith, Judge Court of Common Pleas, to administer the Oath of Office to Christopher A. Smith	4

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Perry, Michael	Introducing the Honorable Michael F. Coyne, Prothonotary of Allegheny County to administer the Oath of Office to Dan Cohen	4
Perry, Michael	Nomination and Election of the President of Council	5
Perry, Michael	Oath of Office given to Christopher A. Smith	4
Perry, Michael	Oath of Office given to Alan Hertzberg	3
Perry, Michael	Oath of Office given to Dan Cohen	2
Perry, Michael	Oath of Office given to Joe Cusick	3
Pratt, Cynthia	Leading Council's meeting of March 22, 1994 in the Pledge of Allegiance	446
Rabbi	Acceptance Bill No. 7 - Commending and congratulating Bill and Lieba Rudolph for their leadership for the Jewish Community and congratulating the Yeshiva Schools for 50 years of service	22
Rectenwald, Katrina	Leading Council's meeting of July 5, 1994 in the Pledge of Allegiance	1050
Reverend Brown	Giving the Benediction of the Swearing ceremony of Valerie A. McDonald as Council Women of the 9th Council District	1683
Reverend Leonard Roache	Conducting the induction	104
Ricciardi, Gene	Discussion - Article in the Post Gazette - Gang Summit	312
Ricciardi, Gene	Discussion the Government Alternative Operations Committee - to look at issue of the asphalt plant, the downtown parking garages, the tow pound and the issue of the under-utilization of the skating rink	1498
Ricciardi, Gene	Commending Councilman Hertzberg for his innovative legislation which would increase the pool of candidates for Life Guards	297
Ricciardi, Gene	Discussion - Bill No. 971 - A resolution amending the Pittsburgh Code, Title VI--Regulated Rights and Actions, Chapter 601.08, ' Alcohol or Liquor Consumption on Streets or Sidewalks, by providing for a City-wide ban on the consumption and possession of alcoholic beverages under certain terms and conditions (Open Container Law)	1296
Ricciardi, Gene		310
Ricciardi, Gene	City of Pittsburgh Residents throughout several neighborhood are experiencing water difficulty	743

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Ricciardi, Gene	Commending Dan Cohen for his legislation on TCI Rates	214
Ricciardi, Gene	Commending Dan Onorato and Joe Cusick for their involvement with the Envirotest issue	1368
Ricciardi, Gene	Commending, Mayor Tom Murphy for initiating a Task Force to investigate how guns get into the hands of Juveniles and Criminals	37
Ricciardi, Gene	Congratulating Bob'Connor of his investigation into the parking tax revenue	182
Ricciardi, Gene	Congratulating Linda Johnson-Wasler as the first woman to serve as City Clerk, in the City of Pittsburgh	109
Ricciardi, Gene	Congratulating Valerie McDonald as the newly elected member of Council, representing District 9	1685
Ricciardi, Gene	Discussion - Bill 549, Zoning District Map No. 7, by changing from "M4Z" Heavy Industrial District to "A1" Commercial-Residential Association District all that certain property bounded by Bingham Street, 17th Ward	990
Ricciardi, Gene	Discussion - Bill 569 - Resolution providing for the construction of public sanitary sewers to serve fifteen (15) existing homes along Glasgow Street, Sacramento Street, Merwyn Avenue, Conestoga Avenue, Oterson Street and Washville Street, 20th Ward	875
Ricciardi, Gene	Discussion - Article regarding the Mayor acting on his own regarding the Youth Initiative Trust Fund	784
Ricciardi, Gene	Discussion - Bill 569 - Public Sanitary Sewers for fifteen homes along Glasgow Street, Sacramento Street, Merwyn Avenue, Conestoga Avenue, Oterson Street and Washville Street, 20th Ward	846
Ricciardi, Gene	Discussion - Bill 1008 - Veto "Adopting and approving the 1993 Capital Budget and the 1993 Community Development Block Grant program and approving the 1993 through 1998 Capital Improvement Program, so as to reduce line item in Parks and Recreation, and increasing a line item in City Council	1463
Ricciardi, Gene	Discussion - Bill 1064 - "Resolution authorizing the Director of the Department of Parks and Recreation to increase certain admission fees at the Schenley Park Ice Skating Rink"	1637
Ricciardi, Gene	Discussion - Bill 1163 - Resolution authorizing and directing the Department of City Planning, Bureau of Building Inspection and Law to develop a map, a list of reported complaints, and legal action in relation to Section 8 properties in the City of Pittsburgh	1660
Ricciardi, Gene	Discussion - Bill 1176, Resolution that the Council of the City of Pittsburgh shall delay action upon any ordinance which would reduce the City Amusement Tax Rate, Regional Asset	1512
Ricciardi, Gene	Discussion - Bill 1303 - Resolution vacating a portion of Fontella Street (Ridge-Reedsdale), Devers Way (Fontella-Sproat), Sproat Way (Ridge-S. Line Wolfendale), Sproat Way (N. Line Boyce-Reedsdale, Wolfendale Street (Spraot-W. Line Walker) and Boyce Street (E. Oine Sproat Way- 155'	

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Ricciardi, Gene	Discussion - Bill 1390 - Resolution amending the Pittsburgh Code Title Four, Public Places and Property, Article II, Communications, Chapter 425, Cable Communications, to Reduce the Franchise Fee for Cable Communications Systems	1851
Ricciardi, Gene	Discussion - Bill 1395 - Authorizing the Mayor and the Director of the Department of Public Safety and General Services to Execute a Cooperation Agreement and amendments thereto with the Public Parking Authority of Pittsburgh to provide for the administration, supervision and enforcement of on-street parking regulation in the City of Pittsburgh	1757
Ricciardi, Gene	Discussion - Bill 312, Declaring March 25, 1994 as Julia Sinwell Day in the City of Pittsburgh	346
Ricciardi, Gene	Discussion - Bill 313 - Congratulating Prince of Peace Parish for demonstrating that cultural diversity does not mean division	346
Ricciardi, Gene	Discussion - Bill 361 Appointment of Rowan Miranda, Water Sewer Authority	458
Ricciardi, Gene	Discussion - Bill 387 - Occupational Therapy Month April, 1994	555
Ricciardi, Gene	Discussion - Bill 397, Issuance of a General Obligation Notes, Series 1994 \$15,000,000.00	624
Ricciardi, Gene	Discussion - Bill 421 - Resolution - Urging the Mayor and the City's Representatives of the Southwestern Pennsylvania Regional Planning Commission to ask the PTC to plan the Mon/Fayette Transportation project, from I-70 to I-376 as one project in order to identify the impacts and benefits to the City of Pittsburgh	930
Ricciardi, Gene	Discussion - Bill 484 - Red Rebels 1993 Hockey Season	686
Ricciardi, Gene	Discussion - Bill 570 - Community Oriented Police Mini Station in Beechview	844
Ricciardi, Gene	Discussion - Bill 770 - Commending State Senator Michael Dawida Senate Bill #1785, by creating two lottery games a year that would proved a source of funds for repayment of bonds on economic development projects	1078
Ricciardi, Gene	Discussion - Bill 793, Adopting Official Sewage Facilities Plan for Envirotest Partners, Teledyne Industries, Plan of Subdivision, located on Idlewood Road, 28th Ward	1301
Ricciardi, Gene	Discussion - Bill 879 - Filing of a petition for the sale of certain property acquired at tax sales in accordance with Act No. 171, "Second Class City Treasurer Sale and Collection Act"	1211
Ricciardi, Gene	Discussion - Bill 922 - Declaring the week of August 7 through 12 to be "Neighborhood Beautification Week" in the City of Pittsburgh	1167
Ricciardi, Gene	Discussion - Bill 926, An Ordinance, supplementing the Pittsburgh Code, Title Six-Conduct, Article I, Regulated Rights and Actions, by adding Chapter 602 - Minors	1251
Ricciardi, Gene	Discussion - Bill 966 - Vacating Carey Way from previously vacated, South 30th Street	1250

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Ricciardi, Gene	Discussion - Bill No. 1304 - Resolution for an Agreements with organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities, for the benefit of residents of the City of Pittsburgh	1729
Ricciardi, Gene	Discussion - Bill No. 134, Urging the School District of the City of Pittsburgh to immediately adopt a Gentrification Program for the Year 1994	127
Ricciardi, Gene	Discussion - Bill No. 357, Resolution directing the Solicitor and Chief of Police in consultation with City Council to convene a Community and Law Enforcement Conference	565
Ricciardi, Gene	Discussion - Bill No. 970, Resolution vacating a portion of South Water Street between South 25th Street and South 26th Street, 16th Ward	1288
Ricciardi, Gene	Discussion - Bill No. 971 - A resolution amending the Pittsburgh Code, Title VI--Regulated Rights and Actions, Chapter 601.08, 'Alcohol or Liquor Consumption on Streets or Sidewalks, by providing for a City-wide ban on the consumption and possession of alcoholic beverages under certain terms and conditions (Open Container Law)	1291
Ricciardi, Gene	Discussion - Bill, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416 and 417, Various Appointments	568
Ricciardi, Gene	Discussion - Bond Issue - \$15,000,000.00	627
Ricciardi, Gene	Discussion - City of Pittsburgh Gentrification Program	1476
Ricciardi, Gene	Discussion - Financial Package received from the Administration regarding the Pirates	849
Ricciardi, Gene	Discussion - Gang Summit in Pittsburgh	257
Ricciardi, Gene	Discussion - Gang Summit in Pittsburgh	264
Ricciardi, Gene	Discussion - Housing Authority Appointments	369
Ricciardi, Gene	Discussion - Informing public that if they would like a public hearing before the legislation voted upon	37
Ricciardi, Gene	Discussion - Letter Dated March 22, 1994 regarding Gerald Fox and John Noonan	360
Ricciardi, Gene	Discussion - Minority Business Enterprise/Women's Business Enterprise (COMMENTS)	1598
Ricciardi, Gene	Discussion - Preliminary Budget Document Received from Mayor's Office, November 14, 1994	1645
Ricciardi, Gene	Discussion - Public Safety Department	546
Ricciardi, Gene	Discussion - Reopening the budget	708
Ricciardi, Gene	Discussion - TCI Cable	99
Ricciardi, Gene	Discussion - transfer of activities to the Water and Sewer Authority	1827
Ricciardi, Gene	Discussion - Vacancy of 9th District Council Seat	734
Ricciardi, Gene	Discussion - Water System in the City	1193
Ricciardi, Gene	Discussion Bill 291, Joesph Cusick Appointment to Allegheny County Sanitary Authority	300

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Ricciardi, Gene	Discussion Bill 796 - Transfer \$100,000.00 from Code Account 45, Health/Life Insurance-Municipal Employees to Code Account 1075 B5-2, Outside Counsel and Bill 797 - Agreement for the hiring of outside counsel to assist in negotiating labor contracts for the City	1179
Ricciardi, Gene	Discussion on Bill 409, 410, 411, 412, 413, 414, 415, 416, 417, Various Appointments	616
Ricciardi, Gene	Discussion regarding City Council Supporting Senator Fisher's proposed Bill that gives State Judges the power to deny bond to criminal defendants	151
Ricciardi, Gene	Discussion, Bill 84, Warrant for Golden Construction - Renovations to City-County Sidewalks	137
Ricciardi, Gene	Discussion- Bill 298 "Street Resurfacing Program" to change various code accounts	353
Ricciardi, Gene	Discussion - Bill 1419 - An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 241, Amusement Tax, by adding Section 241.07 - Ticket Labeling	1847
Ricciardi, Gene	Discussion - Bill 793, Adopting Official Sewage Facilities Plan for the Teledyne Industries Plan of Subdivision ---Negative Recommendation	1506
Ricciardi, Gene	Informing Council of the Communication he had with Lou Gaetano of Pittsburgh Sports Federation, he has been asked to resign	459
Ricciardi, Gene	Informing Council that their is a post Agenda with the Pittsburgh Film Office on June 22, 1994	881
Ricciardi, Gene	Recommending that when the Administration is requesting to Suspend Rule 8, that a reason why be attached to legislation	52
Ricciardi, Gene	Requesting that Mr. Keller prepare a report regarding the revenues that are put into the City Treasury, that he also critique the CMU Study and the Pennsylvania Economy League Study	880
Ricciardi, Gene	Thanking all the employees, including the management employees of the Department of Public Works for cleaning up the City	1088
Ricciardi, Gene	Supporting, Councilman Joe Cusick's for Assistant involved with the resident of the landslide on Pioneer Avenue, Brookline	1306
Ricciardi, Gene	Concerns-Regarding the relationship with the administration for establishing a Commission for the Pittsburgh Pirate Baseball Club	61
Ricciardi, Gene	Supporting Amendment to - Bill 1365 - Resolution approving the Terms of and Authorizing the execution and delivery of a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh relating to the creation by the Authority of a Development Fund to stimulate residential, commercial and industrial and other development in the City at an aggregate principal amount of \$60,000,000.00	1766
Rudolph, Bill	Acceptance Bill No. 7 - Commending and congratulating Bill and Lieba Rudolph for their leadership for the Jewish Community and congratulating the Yeshiva Schools for 50 years of service	22

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Salac, Kurt	Taking the Oath of Office as the Assistant City Clerk	550
Sexton, Brittany	Leading Council's Meeting of November 1, 1994 in the Pledge of Allegiance	1569
Shields, Elliot	Leading Council's meeting of July 19, 1994 in the Pledge of Allegiance	1093
Simms, Margaret	Acceptance - Bill No. 12, Recognizing the Hill House Association, House of Crossroads, Lower Hill YMCA Outreach, PBA the 2nd Step and the Three Rivers Employment Service, Inc. for participating in the Jake Milliones Memorial Halloween Parade and Party	27
Simms, Tyrone	Leading Councils meeting of February 8, 1994 in the Pledge of Allegiance	104
Sinwell, Julia	Accepting - Bill 312, Declaring March 25, 1994 as Julia Sinwell Day in the City of Pittsburgh	345
Smith, Christian	Discussion - Bill 361 Appointment of Rowan Miranda, Water Sewer Authority	458
Smith, Christopher	Billboard in the Manchester Community that is 40 by 40	312
Smith, Christopher	Commending Councilman Dan Cohen for his hard work and leadership on the issue with TCI	940
Smith, Christopher	Congratulating Linda Johnson-Wasler as the first woman to serve as City Clerk, in the City of Pittsburgh	1553
Smith, Christopher	Discussion Bill No. 36, Renewing Resolution 152/1993, Western Manor, Inc. to convert existing structure located at 2851 Bedford Avenue	109
Smith, Christopher	Discussion - Bill 310, Joining the Coalition for Safe Jobs and the Service Employees International Union in endorsing the Comprehensive Occupational Safety and Health Reform Act	79
Smith, Christopher	Discussion - Appointment of C. Lu Conser, Sandra Glass, Barbara Jean Sampson, and Chuck Honse to the City of Pittsburgh's Human Relations Commission	341
Smith, Christopher	Discussion - Bill 711 - Title Nine, Zoning, by inserting "nursing home" as a use by right in "RP" Residential Planned Unit Development Districts under Chapter 975	1150
Smith, Christopher	Discussion - Bill 1163 - Resolution authorizing and directing the Department of City Planning, Bureau of Building Inspection and Law to develop a map, a list of reported complaints, and legal action in relation to Section 8 properties in the City of Pittsburgh	1218
Smith, Christopher	Discussion - Bill 1176, Resolution that the Council of the City of Pittsburgh shall delay action upon any Ordinance which would reduce the City Amusement Tax Rate, Regional Asset	1660
Smith, Christopher	Discussion - Bill 382 Cooperative Agreement with Allegheny County for the purpose of jointly cooperating in the exercise or performance of governmental functions	1519
Smith, Christopher	Discussion - Bill 397 - General Obligation Notes, Series of 1994 \$15,000,000.00	625 625

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Smith, Christopher	Discussion - Bill 421 - Resolution - Urging the Mayor and the City's Representatives of the Southwestern Pennsylvania Regional Planning Commission to ask the PTC to plan the Mon/Fayette Transportation project, from I-70 to I-376 as one project in order to identify the impacts and benefits to the City of Pittsburgh	929
Smith, Christopher	Discussion - Bill 421, Urging City representative to oppose approval of Southwestern Pennsylvania Regional Planning Commission of the Environmental Impact Statement	611
Smith, Christopher	Discussion - Bill 624 - Acquisition from CSX Transportation, Inc. of certain property located in the 6th and 9th Wards of the City for Park purposes	870
Smith, Christopher	Discussion - Bill 82, 83 and 84 various warrants repairs on Council Chambers, City County Building	138
Smith, Christopher	Discussion - Bill 920 - Declaring Tuesday, August 2, 1994 to be BIG League Day in the City of Pittsburgh	1162
Smith, Christopher	Discussion - Bill 922 - Declaring the week of August 7 through 12 to be "Neighborhood Beautification Week" in the City of Pittsburgh	1170
Smith, Christopher	Discussion - Bill 922 - Declaring the week of August 7 through 12 to be "Neighborhood Beautification Week" in the City of Pittsburgh	1173
Smith, Christopher	Discussion - Bill, 407, 408, 409, 410, 411, 412, 413 414, 415, 416 and 417, Various Appointments	568
Smith, Christopher	Discussion - Finance Report and Personnel last December or November to clarify a policy for part time workers - requirement to take off 2 weeks	462
Smith, Christopher	Discussion - Financial Package received from the Administration regarding the Pirates	849
Smith, Christopher	Discussion - Gang Summit in Pittsburgh	256
Smith, Christopher	Discussion - Gang Summit in Pittsburgh	266
Smith, Christopher	Discussion - Housing Authority Appointments	362
Smith, Christopher	Discussion - Housing Authority Appointments	368
Smith, Christopher	Discussion - Law Enforcement Officer on Horseback	618
Smith, Christopher	Discussion - Mandated appointments	704
Smith, Christopher	Discussion - Vacancy of 9th District Council Seat	736
Smith, Christopher	Discussion - Water System in the City	1193
Smith, Christopher	Discussion Bill 242-John P. Robin	244
Smith, Christopher	Discussion Bill 291, Joesph Cusick Appointment to Allegheny County Sanitary Authority	301
Smith, Christopher	Discussion Bill 648 - Proclaiming June 9, 1994 to be "The Pittsburgh Project Day in the City of Pittsburgh	862
Smith, Christopher	Discussion Bill 857- Commending the Three Rivers Center of Independent Living	1134
Smith, Christopher	Discussion Bill No. 18 - License with National Development Corporation to construct a one-double faced Business Sign	141

ADDRESS AND REMARKS

SPEAKER	SUBJECT	PAGE
Smith, Christopher	Discussion City Budget Deficit	334
Smith, Christopher	Discussion Employees who showed up for work the day the City was closed during snow storm. They are being charge for a personal day?	37
Smith, Christopher	Discussion-Bill No. 153 - Contract for Disposition Sale of Land by and between the URA of Pittsburgh and Spring Garden Neighborhood Council	212
Smith, Christopher	Discussion-Letting MBE/WBE contracts through the "B" Contract	207
Smith, Christopher	Discussion - Bill 793, Adopting Official Sewage Facilities Plan for the Teledyne Industries Plan of Subdivision ---Negative Recommendation	1505
Smith, Christopher	Taking the Oath of Office	4
Smith, Tamara	Leading Council's Meeting of October 11, 1994 in the Pledge of Allegiance	1458
Springer, Jason	Leading City Councils meeting of February 15, 1994 in the Pledge of Allegiance	163
Steele, Julnee	Leading Council's meeting of June 28, 1994 in the Pledge of Allegiance	983
Tecza, Leah	Leading Council's Meeting of June 14, 1994 in the Pledge of Allegiance	921
Valerie McDonald	Taking the Oath of Office for the 9th City of Pittsburgh Council District	1680
Wasler-Johnson, Linda M.	Taking the Oath of Office as City Clerk	106
Wright, Darlinston	Leading Councils meeting of March 22, 1994 in the Pledge of Allegiance	446
Wright, LeAnna	Leading Council's meeting of December 13, 1994 in the Pledge of Allegiance	1752
Ziminski, Paul	Leading Council's meeting of July 12, 1994, in the Pledge of Allegiance	1075
Zimmick, Kasey	Leading City Councils meeting of April 12, 1994 in the Pledge of Allegiance	549

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
97	Alcosan	Submitting a list of Authority's Personnel as of December 31, 1993	76
1133	Barbara M. Parees	Requesting Permission to reimburse John Turyan (a nonCity Employee) Chair, Pittsburgh Private Industry Council, for expenses incurred while attending NAPIC Conference in Dallas, September 23 to 25, 1994 total cost not to exceed \$402.00	1460
381	Barbara M. Parees	Department of Personnel and Civil Service, requesting approval for John Turyan (A non-city Employee), Chair Pittsburgh Private Industry Council to travel to Dearborn Michigan to attend the Board of Directors Meeting for the National Association of Private Industry Council	541
571	Barbara M. Parees	Requesting approval for John Turan (A non-City Employee, to travel to Hershey PA to attend the 10th Annual Pennsylvania Service Delivery Area Employment, Education & Training Conference from June 2 to 3, 1994	774
572	Barbara M. Parees	Requesting approval for Mary Ann Denham and Jeanine Prgomet A non-City Employee, to travel to Hershey PA to attend the 10th Annual Pennsylvania Service Delivery Area Employment, Education & Training Conference from June 2 to 3, 1994	774
1368	Barbara Parees	Requesting approval for John Turyan (a non-city employee) Chair, Pittsburgh Private Industry Council to attend Board of Directors Meeting for National Association of Private Industry Councils on December 10-11, 1994 at a cost not to exceed \$605.00	1720
118	Flaherty, Thomas	Submitting the Performance Audit of Police officer Hiring, Department of Public Safety dated January 1994	94
328	Flaherty, Thomas	Submitting Performance Audit of Fleet Management, Department of General Services, Dated March, 1994	349

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
436	Flaherty, Tom	Submitting the Fiscal Audit of	621
		Magistrate Courts dated March 18, 1994	
403	Hennigan, Paul	Submitting a Report of Securities	561
		pledged as collateral by City Depositories as	
		of January 31, 1994	
473	Hennigan, Paul	Submitting a report of securities	662
		pledged as collateral by City Depositories as	
		of February 28, 1994	
765	Hennigan, Paul	Department of Finance, submitting a	1064
		report of deposit and the market value of	
		securities pledge as collateral by City	
		Depositories as of May 31, 1994	
1257	Jacqueline Morrow	Submitting the quarterly report of	1590
		the settlement of small claims not exceed	
		\$750.00 from the Third Quarter of 1994,	
		payable from Code Account No.1081, Petty	
		Claims. Also, a quarterly report of the	
		settlement of claims in excess of \$750.00	
		for the Third Quarter of 1994, payable from	
		Code Account No. 46, Judgments	
603	Jacqueline Morrow	Submitting the quarterly report of	793
		the settlement of small claims not	
		exceeding \$750.00 from the First Quarter of	
		1994	
981	Jacqueline Morrow	Submitting the quarterly report of	1234
		the settlement of small claims not exceed	
		\$750.00 fro the Second Quarter of 1994, also	
		a quarter report of settlement of claims in	
		excess of \$750.00 for the Second Quarter of	
		1994	
1280	Linda Johnson-Wasler	Submitting their Third Quarter	1630
		travel reports for 1994 from various City	
		departments	
519	Linda Johnson-Wasler	Submitting First Quarter Travel	697
		Reports for 1994 from various departments	
907	Linda Johnson-Wasler	Submitting the Second Quarterly	1143
		Travel Reports for 19994 from various City	
		Departments	

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
161	Morrow, Jacqueline	Submitting quarterly report of the settlement of small claims not to exceed \$750.00 for the Fourth quarter of 1993	134
906	Mulugetta Birru	Submitting the "Position and Salary Report" consisting of names, positions and salaries of all full-time temporary and part-time employees of said Authority as of June 30, 1994	1143
201	Murphy, Tom	Re-Appointing Bob O'Connor as a Member of the Public Auditorium Authority term to expire December 31, 1996	174
202	Murphy, Tom	Informing City Council of the Appointment of Cathy Broucek as a Member of the Public Auditorium Authority term to expire December 31, 1996	174
203	Murphy, Tom	Informing Council of the Appointment of Dan Onorato as a Member of the Public Auditorium Authority term to expire December 31, 1996	174
204	Murphy, Tom	Informing Council of the Appointment of Frank Gigliotti as Member of the Stadium Authority term to expire December 31, 1995	175
205	Murphy, Tom	Informing Council of the Appointment of Mark Schneider as a Member of the Stadium Authority a term to expire December 31, 1997	175
206	Murphy, Tom	Informing Council of the Appointment of Robert Ewanco as a Member of the Urban Redevelopment Authority term to expire December 31, 1998	175
208	Murphy, Tom	Re-Appointment of David Epperson as a Member of the Urban Redevelopment Authority term to expire December 31, 1998	175
209	Murphy, Tom	Appointing Dan Frankel as a Member of the Urban Redevelopment Authority Board for a term to expire December 31, 1995	175
210	Murphy, Tom	Informing Council of the Appointment of Tom Cox as a member of the Urban Redevelopment Board for a term to expire December 31, 1997	175

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
443	Murphy, Tom	Informing Council of the Appointment of Judith Doran Dyda to the Public Parking Authority of Pittsburgh for a term to expire May 31, 1994.	631
444	Murphy, Tom	Informing Council of the Appointment of Nancy Lynn Rose to the Public Parking Authority of Pittsburgh for a term to expire April 30, 1995	631
447	Murphy, Tom	Informing Council of the Appointment of Paul Hennigan to the Equipment Leasing Authority term to expire December 31, 1998	667
476	Murphy, Tom	Informing City Council of the Appointment of Deborah Miskovich to the City Pittsburgh Equipment Leasing Authority Term to Expire December 31, 1994	667
478	Murphy, Tom	Informing Council of the appointment of Rowan A. Miranda to the Equipment Leasing Authority term to expire December 31, 1995	667
479	Murphy, Tom	Informing Council of the appointments of Louise Brown, Eloise Hirsh and Margaret McCormick Barron to the Southwestern Pennsylvania Regional Planning Commission	667
1281	Paul Hennigan	Submitting a report of deposits and the market value of securities pledged as collateral by city Depositories as of July 1994	1630
555	Paul Hennigan	Submitting deposits and market value of securities pledge as collateral by City Depositories as of March 31, 1994.	733
637	Paul Hennigan	Department of Finance submitting a report of deposits and market value of securities pledged as collateral by City Depositories as of April 29, 1994	841
982	Paul Hennigan	Submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of June 30, 1994	1234
1382	Tom Flaherty	Submitting the fiscal Audit of the Department of General Services, Warehouse Inventory report dated October 5, 1994.	1722

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
358	Tom Flaherty	Submitting a Performance Audit of Tuition Reimbursement Program, Department of Personnel dated March 1994	453
520	Tom Flaherty	Submitting Comprehensive Annual Financial Report for the City of Pittsburgh for the fiscal year ended December 31, 1993	697
1143	Tom Murphy	Returning with his Veto Bill No. 1008 entitled, "Resolution further amending Resolution 1348, effective January 1, 1993, entitled, "Adopting and Approving the 1993 Capital Budget and the 1993 Community Development Block Grant Program; and approving the 1993 through 1998 Capital Improvement Program, so as to reduce a line item in Parks and Recreation, and increase a line item in City Council	1462
1198	Tom Murphy	Informing City Council of his appointment of Anthony Jonathan Ross as a member of the Public Parking Authority of Pittsburgh for a term to expire August 31, 1996	1541
1270	Tom Murphy	Requesting permission for Bonnie Young (a non-city employee) to attend a national training conference in San Antonio, Texas, from December 12, 1994 through December 15, 1994 to improve Operation Weed and Seed Program	
1271	Tom Murphy	Requesting permission for Betty Pickett, Weed and Seed Coordinator, to attend a national conference in San Antonio, Texas from December 12, 1994 to December 15, 1994 to improve Operation Weed and Seed Programs, cost not to exceed \$925.00	1629
1315	Tom Murphy	Informing City Council of his appointment of Councilwoman Valerie A. McDonald as a member of the Pittsburgh Parking Authority for a term to expire December 31, 1995	1684

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
556	Tom Murphy	Informing Council of the Appointment of Gerald J. Vortex and Joyce A. Baskins as members of the Regional Assets District Board	733
607	Tom Murphy	Appointing Clair Staples to the Urban Redevelopment Authority for a term to expire December 31, 1996	799
64	Tom Murphy	Appointing Christopher A. Smith as a Member of the Urban Redevelopment Authority, term to expire December 2, 1994	54
65	Tom Murphy	Appointing Salvatore Sarabella as the Joint City-County appointee to the Board of the Public Auditorium Authority Term to Expire December 31, 1995	54
66	Tom Murphy	Appointing Paul Hennigan as a member of the Pittsburgh Water Authority term to expire January 1997	54
929	Tom Murphy	Informing City Council of the appointment of Robert F. Provolt, Sr., to the City of Pittsburgh Water and Sewer Authority for a term to expire December 31, 1 994	1176
160	Washington, David	Submitting the names, positions and salaries of each employee of the Housing Authority as of January 1, 1994	134
119	Wasler-Johnson, Linda	Submitting Fourth Quarter travel reports for 1993 for various departments	94

MOTIONS

ACCEPTANCE

SPEAKER	SUBJECT	PAGE
Hertzberg, Alan	Nominees for the Cable Advisory Committee	56

ADOPT

Smith, Christopher	Rules of Proceedings of Council be Adopted as the Rules of this Council	17
--------------------	---	----

AMEND

Cusick, Joe	Bill 1047, Resolution Repealing Resolution 1321/1992, Cooperation Agreement with County of Allegheny for cost associated with widening of Ross Street, in conjunction with the County's Court House sidewalk	1186
Cusick, Joe	Bill 1398 - A resolution providing for a Cooperation Agreement with Allegheny County to set forth certain terms and conditions governing the respective uses of the area under the Sixth Street Bridge and the Clemente Park River Safety Center	1889
Cusick, Joe	Bill No. 354, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1994" Reducing Sale from \$5,000.00 to \$4,000.00	564
Hertzberg, Alan	Bill No. 1365 - Resolution approving the terms of and Authorizing the execution and delivery of a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh relating to the creation by the Authority of Development Fund to stimulate residential, commercial and industrial and other development in the City at an aggregate principal amount of \$60,000,000.00	1765
Ricciardi, Gene	Bill - 1419, An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, chapter 241, Amusement Tax, by adding Section 241.07 - Ticket Labeling	1847
Ricciardi, Gene	Bill No. 926, Supplementing the Pittsburgh Code, Title Six - Conduct, Article I, Regulated Rights and Actions, by adding Chapter 602 Minors	1250
Smith, Christopher	Discussion Bill No. 31 - Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act), by deleting two pieces of property A and B	77

MOTIONS

SPEAKER	SUBJECT	PAGE
---------	---------	------

AMENDING

Ricciardi, Gene	Bill 971, Amending the Pittsburgh Code Title VI--Regulated Rights and Actions, Chapter 601.08, "Alcohol or Liquor consumption on Streets or Sidewalk, by providing for a City-wide ban on the consumption and possession of alcoholic beverages under certain terms and conditions, by deleting 'express permission' and by adding the word 'consent'.	1291
Smith, Christopher	Bill 964, Sale of Property in Accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", By deleting Item B	1287

APPOINTMENT

Ferlo, Jim	Councilwomen Valerie McDonald as Chair to the Board of the Carnegie Library, the of Trustees	1864
Ferlo, Jim	Councilwomen Valerie McDonald as Chair to the Committee on Housing, Economic Development and Promotions	1864
O'Connor, Bob	Bill 1313 - Appointment of Valerie A. McDonald, Member of Council to fill unexpired term City of Pittsburgh Council District 9	1679
Christopher Smith	Board of the City's Anti Poverty Agency, the Pittsburgh Community Services, Inc.	85
Cohen, Dan	Board of Southwestern PA Regional Planning Commission	85
Ferlo, Jim	Joanne Osborne as the Cable Advisory Committee Member, District 1	148
Ferlo, Jim	Linda Johnson-Wasler, City Clerk of Pittsburgh	105

BUDGET

Ferlo, Jim	Request that Council consider a formal motion under Article 5, Section 507 of the Home Rule Charter asking that we communicate to the Mayor for the purpose of reopening the operating budget here in City government	704, 712
------------	---	----------

MOTIONS

SPEAKER

SUBJECT

PAGE

DEFEATED

Ferlo, Jim	Bill No. 18, License Agreement with National Development Corporation to Construct a Double faced Business Sign	144
------------	--	-----

DELETION

Ricciardi, Gene	Bill 879 - "Second Class City Treasurer Sale and Collection Act", deleting Item E	1211
-----------------	---	------

DISCUSSION

Cusick, Joe	Water and Sewer Authority	1827
-------------	---------------------------	------

HELD

Smith, Christopher	Bill 421 - Urging the Mayor to join the opposition and urges that City representatives on SPRPC oppose approval of the partial Environmental Impact Statement	612
--------------------	---	-----

INTERVIEW

Onorato, Dan	Bill 1026, 1027, 1028, and 1029 Various Interviews with applicants who are being appointed to the City of Pittsburgh Planning Commission and the City of Pittsburgh Water and Sewer Authority	1284
Smith, Christopher	Bill 913, 914, 915, 916 and 917 Appointing and Reappointing five (5) candidates as Members of the Pittsburgh's Human Relations Commission	1150
Ferlo, Jim	Requesting Legal Opinion on the vacancy of 9th District Council Seat	734

LETTER SENT

Cohen, Dan	Letter to State Representative Kaiser asking him what his plans are with respect to the future of the film office	366
------------	---	-----

MOTIONS
LETTER SENT

SPEAKER	SUBJECT	PAGE
Cohen, Dan	Requesting the Mayor to Swear In Janet Berkowitz and to appoint two members to the Ethics Commission	41
Cohen, Dan	Requesting the new Administration plan for moving toward regulating of cable television	57
Cohen, Dan	To Chief Buford and Lieutenant Kelly, who is the Head of the Community Oriented Police program to ask them exactly what the policy is regarding shift hours for COP Officers and when it is going to go into effect and why	1890
Cohen, Dan	To Congressman Coyne, Mr. Specter, Mr. Wofford and Mr. Santorum, regarding the raising of public service cap from 15 percent to 20 percent	1677
Cohen, Dan	To Mayor Murphy requesting that he send a delegation to this company to make sale pitch to bring the MK Rails headquarters to Pittsburgh and Also send a Letter to the President Mr. Mike Farrell, saying that we would very much like to have MK Rail Located in Pittsburgh	634
Cohen, Dan	To Robert Currin, Commending him for his work at the Pittsburgh Film Office	366
Cohen, Dan	To Tom Murphy asking that he fill the one remain vacancy with a person who is currently a tenant in public housing	372
Cohen, Dan	To the Grant Makers of Western Pennsylvania, asking the to provide as much funding as they can for this summer's summer employment	713
Cohen, Dan	To the Senator Fisher, supporting his proposed legislation that gives State Judges the power to deny bail to criminal defendants who are deemed to be a danger to the community	153
Cusick, Joe	Requesting the City Clerk to send letter to the Bureau of Mines requesting assistance in locating the problem and to do test drilling for these four homes located on Pioneer Avenue in Brookline	632
Cusick, Joe	To Mayor Murphy requesting that the administration either refund or credit the residents the Annual Fee that use the Phillips Park Pool (while it's being repaired)	1221
Cusick, Joe	To Stadium Authority requesting that they have someone present at next Wednesday's meeting to discuss the improvements they are asking us to allocate	186

MOTIONS

SPEAKER	LETTER SENT	PAGE
	SUBJECT	
Cusick, Joe	To the Governor and to the State Legislature, in support of State Representative Kukovich and State Senator La Valle's proposal to delay the Envirotest Program	1367,1370
Cusick, Joe	To the Honorable Tom Murphy or Sal Sirabella to sit on the Labor Management Task Force	155
Cusick, Joe	To Lieutenant Governor Mark Singel, United States Senator Harris Wofford, Congressmen Bill Coyne, Senator Jack Wagner, State Representative Frank Gigolotti and all of our County Commissioners, regarding the landslide on Pioneer Avenue located in Brookline	1306
Ferlo, Jim	Administration - asking for a Response in regards to how people are being paid for the day the city shut down during snow storm	
Ferlo, Jim	Instructing the City Clerk to file formally a Writ of Certification Declaring the Seat Vacant and communicating to the Board of Elections.	733
Ferlo, Jim	Letter to City Solicitor requesting a legal opinion on the Bill 356 and 357	453
Ferlo, Jim	Notify the President of the Pittsburgh Pirates of the Form hearing scheduled for June 20, 1994	878
Ferlo, Jim	Requesting the Law Department to review those previous cases where the City Intervened with helping private property owners that have land slide to clarify this Council how we can be helpful to these individuals	633
Ferlo, Jim	To Finance Director requesting an explanation as to why so many PGH-40 Tax returns are going to be late	939
Ferlo, Jim	To Senator Wofford, Spector and Congressman Coyne, Santorum, Klink and Murphy, showing support of the comprehensive occupational safety and health reform act	337
Ferlo, Jim	To the Mayor, requesting that the Mayor personally make an overture and communicate to Commissioner Foerster and the Board of Commissioners regarding the Pirates - Eight Million Dollars	878
Hertzberg, Alan	To Mayor Murphy requesting that the administration either refund or credit the residents the Annual Fee, when any City pool is being repaired.	1221
O'Connor, Bob	Requesting Don Cimino, BBI, Chief Kennedy, Paramedics and Chief Dickerson, Fire to attend next Wednesday, Meeting to discuss Carbon Monoxide Legislation	221
O'Connor, Bob	Requesting he establish a commission that would include representations from the City, County and State, to formulate a plan of action which will further the efforts and ensure Pirate Baseball Club remains in the City	59

MOTIONS

SPEAKER	SUBJECT	PAGE
LETTER SENT		
O'Connor, Bob	To a Famous Hollywood Star, Gene Kelly who is sick and in the Hospital	746
Onorato, Dan	Administration, requesting that they send a Resume File of Individuals prior to their Appointment in various Departments	39
Onorato, Dan	Communication to ALCOSAN Request explanation of the odor last week on the North Side	939
Onorato, Dan	To Director of Public Works informing them that Bill 757 changing the name of Freda Way to Swanson Street, 26th Ward	1107
Onorato, Dan	To Director of Public Works requesting at a "No Hunting" Sign be posted immediately in all four regional parks	1579
Onorato, Dan	To the Mayor, requesting he send a letter to the Gang Summit organizations, advising them, that the City of Pittsburgh does not want the Gang Summit held here	254
Ricciardi, Gene	Mayor Tom Murphy, Director Glen Cannon, Water and Sewer Authority and John Hanna, Acting Director of Water and all the employees of the Water Department for not using emergency contracts	97
Ricciardi, Gene	Requesting the Mayor and the Director of Public Work for a written action plan of fixing the City Streets	182
Smith, Christopher	Requesting the new administration to submit a standardized policy for part-time employees regarding the requirement of taking off two weeks vacation during a year	462
Smith, Christopher	Director of General Services and the Law Department - Requesting the Department to specifically explain a memo to employee's, that states the are not permitted to speak with Council Members	273
Smith, Christopher	Informing the administration encouraging them to participate in negotiation with the Borough of Wilkinsburg - regarding the Enviro Test Center	958
Smith, Christopher	To City Controller's requesting any kind of data on the Real Estate Division, albeit fiscal or performance	663

MOTIONS

SPEAKER	SUBJECT	PAGE
LETTER SENT		
Smith, Christopher	To the President of the Pirates, Mr. Mark Sauer, requesting the income statements and balance sheets from 1986 through 1994	847
Smith, Christopher	To U.S. Attorney and appropriate law enforcement official pursuant to Council's resolution	663

MISCELLANEOUS

Cohen, Dan	Supporting Senator Fisher proposed bill that gives State Judges the power to deny bond to criminal defendants	149
Ferlo, Jim	TCI's Rates, scheduling a public hearing February 22, 1994	98
Cohen, Dan	The City of Pittsburgh will wait until the FCC hands down its regulations before it proceed with the Rate Review	460

NOMINATION

Cusick, Joe	Jim Ferlo for President of Council	5
Ricciardi, Gene	Nominating Dan Cohen, for the position of President Pro Tem	730
Darkins, Duane	Nominating Linda Johnson-Wasler, as a candidate to serve as the first women to serve as City Clerk in the City of Pittsburgh	105
Ferlo, Jim	Duane Darkins for President Pro Tem	17

OVERRIDE

Cusick, Joe	Override the Mayor's Veto of Bill 1008, entitled "Resolution further amending Resolution No. 1348, effective January 1, 1993, entitled, "Adopting and approving the 1993 through 1998 Capital Improvement Program, so as to reduce a line item in Parks and Recreation and increase a line item in City Council	1462, 1464
-------------	---	------------

POST AGENDA

O'Connor, Bob	Cancellation of Post Agenda Meeting Regarding the Pirates	97
---------------	---	----

MOTIONS

RECESS

SPEAKER	SUBJECT	PAGE
Onorato, Dan	To recess the January 11, 1994 meeting until January 12, 1994 at 2:00 p.m.	42
Ferlo, Jim	Discussion Regarding a Memo that went through General Services, Regarding employees speaking to Council Members	273

RECOMMIT

Cohen, Dan	Bill 1266 - Resolution providing for a contract or use of an existing contract for the purchase and installation of an electronic production switcher for the Department of General Services, Bureau of Cable Communications, cost not to exceed \$75,000.00	1674
Cohen, Dan	Bill 689 - Authorizing and Directing the Controller to transfer \$10,000.00 into the Department of Public Works, Miscellaneous Services and Bill 690 - Authorizing and directing the Controller to encumber the funds in Code Account 1502 for the purpose of engaging the services of a private security firm	1071
Cohen, Dan	Bill No. 592 - Agreement with a psychologist for professional services for 1994 at a cost not to exceed \$60,000	
Cusick, Joe	Bill 796 - Transfer \$100,000.00 from Code Account 45, Health/Life Insurance-Municipal Employees to Code Account 1075 B5-2, Outside Counsel to meet expenses of outside counsel to assist in negotiating labor contracts and Bill 797 - Agreement for the hiring of outside counsel to assist in negotiating labor contracts for the City of Pittsburgh at a cost not to exceed \$100,000.00	1179, 1181
Cusick, Joe	Bill No. 569 - Construction Public Sanitary Sewers to serve 15 existing homes along Glasgow Street, Sacramento Street, Merwyn Avenue, Conestoga Avenue, Oterson Street and Washville St, 20th Ward	846
Cusick, Joe	Bill No. 594 - An Ordinance amending the Pittsburgh Code Title Seven, Business Licensing, Chapter 777 Mechanical Amusement Devices, by amending Section 777.05 License Fees, by increasing the annual license for Electromechanical Gambling Devices	936

MOTIONS		
	RECOMMIT	PAGE
SPEAKER	SUBJECT	
Hertzberg, Alan	Bill 1064 - Resolution authorizing the Director of Department of Parks and Recreation to increase certain admission fees at the Schenley Park Ice Skating Rink, effective immediately	1573
Hertzberg, Alan	Bill 1064, Resolution authorizing the Director of the Department of Parks and Recreation to increase certain admission fees at the Schenley Park Ice Skating Rink	1070
Hertzberg, Alan	Bill 691 - Resolution authorizing and directing the Director of the Department of Public Works, Miscellaneous Service Account 1502 to hire an private security firm to protect parks and playgrounds from vandalism	1072
Hertzberg, Alan	Bill 814 - Agreement with Community Based Organizations for Community economic Development planning assistance in various neighborhoods in the City and providing for operating support for these groups in an amount not to exceed \$600,000.00	1191
O'Connor, Bob	Bill 1265 - Contract to purchase and install a telecommunication system for the Department of Personnel and Civil Service	1704
O'Connor, Bob	Bill 793 - Adopting Official Sewage Facilities Plan for Envirotech Partners, Teldyne Industries, Plan subdivision, located on Idlewood Road 125', Northeast of Bell Street, 28th Ward	1259
Onorato, Dan	Bill 1071 - Resolution vacating Arcola Way between Voskamp Street and Wesler Way, 24th Ward	1432
Onorato, Dan	Bill 681 - Approving the borrowing of the Urban Redevelopment Authority of Pittsburgh for the purpose of providing funds for the Business Reinvestment Fund; Authorizing incurring of lease rental debt	988
Onorato, Dan	Bill 781 - Resolution for issuance of a series of General Obligation Bonds, Series of 1994A, in the aggregate principal amount of \$37,000.00	1144
Onorato, Dan	Bill No. 793, Resolution adopting Official Sewage Facilities Plan for Envirotech Partners, Teledyne Industries, Plan of Subdivision, located on Idlewood Road, 28th Ward	1304
Ricciardi, Gene	Bill 618 - Agreement with Carnegie Mellon University, the right to Construct and maintain a building over a sewer line	953
Ricciardi, Gene	Bill 283 - "Second Class City Treasurer Sale and Collection Act to A.H. I. Development	350
Ricciardi, Gene	Bill No. 1420 - Resolution authorizing the Mayor and the Director of the Water Department to execute to Cooperation Agreement and amendments thereto with the Pittsburgh Water and Sewer Authority to provide for the creation of a fully operating Authority	1861

MOTIONS		
SPEAKER	SUBJECT	PAGE
RECOMMIT		
Smith, Christopher	Bill 763 - Agreement with a consultant for the purpose of providing architectural and design services in various neighborhood business districts	1109
Smith, Christopher	Bill 1080, Resolution URA to submit an application for financial assistance in the amount of \$600,00 to the Pennsylvania Department of Community Affairs for the North Shore Redevelopment Area and Bill 1081, A Cooperation Agreement with the URA of Pittsburgh for the North Shore Redevelopment Project Area providing for the reimbursement by the City of the Commonwealth for any expenditures found by the Department of Community Affairs to be ineligible and obligating the City to pay any local share of the Project Costs	1469
Duane Darkins	Bill No. 84 - Warrant for Golden Construction - Renovations to City County Building Sidewalks	139
STUDY		
Ricciardi, Gene	Directing the Director of the Department of Public Safety to conduct a study of homicide activity in the City of Pittsburgh within 10 days	75, 146
TELEWISE		
O'Connor	Telewise Public Hearing on Bill 668	1769
Onorato, Dan	Bill 1163, Section 8 Voucher System Public Hearing to be televised November 1, 1994	1555
Smith, Christopher	Public Hearing Scheduled for May 25, 1994 at 2:00 p.m., regarding Special Election on the vacancy in the 94th Council District	776
UNTABLE		
Ferio, Jim	Untable Bill No. 317 - Warrant payable to KPMG Peat Marwick - \$8,000.00	793
Hertzberg, Alan	Bill 1064 - Resolution authorizing the Director of Department of Parks and Recreation to increase certain admission fees at the Schenley Park Ice Skating Rink, effective immediately	1573
O'Connor, Bob	Bill 1265 - Resolution for a Contract or the use of existing Contracts to the purchase and installation of a telecommunication system for the Department of Personnel and Civil Service, in an amount not to exceed Thirty-Six Thousand Dollars, chargeable to and payable from Telephone Services and Equipment, Code Account 1132-2.	1722

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
PITTSBURGH CODE TITLE ONE ADMINISTRATION		
356	Title One, Administration, Article XII - Personnel Chapter 191 - Retirement and Severance Pay Section 191.06 - Compulsory Retirement in accordance with Federal Law under the Age Discrimination in Employment act, 29 USCS Section 623	453
1040	Title One, Administrative, Article VII, Procedures Chapter 161, Contracts, by adding Section 161.27 Reports on City Council Grants	1355, 1465
1306	Title One, Administrative, Article XI, Personnel, Chapter 192, Pensions, Section 192.28, Payment of Benefits, by adding a new Subsection (F) to protect pensioners from garnishment of their benefits	1671, 1726
1272	Title One, Administrative, Chapter 161, Contracts, Section 161.19, Development Proposals: Minority Participation Plan, to increase the review in responsibilities of the Minority Business Enter- prise Review Committee and to amend the quorum required for a meeting	1629, 1724
136	Title One, Administrative, Article VII - Procedures Chapter 161, by adding a new 161.26 Notification of Council Emergency and Maintenance Contracts	130
593	Title One - Administrative, Article VII - Procedures Chapter 161 - Contracts, by adding a new Sub- chapter 161-26 - Automobile purchase and lease contracts by the City of Pittsburgh	792, 871

PITTSBURGH CODE TITLE TWO FISCAL		
1337	Title Two, Fiscal, Article IX, property Taxes, Chapter 263, Real property Tax, Section 263.01 Levy and Rate of Lands and Buildings, by levying the real property tax for 1995	1695, 1844
1297	Title Two, Fiscal, Article I, Administrative", Chapter 201, "City Treasurer" Section 201.08 "Deposits, Reports, Accounts and Withdrawals," by amending subsection (g)(5), "Wire Transfers"	1670
1332	Title Two, fiscal, Article VII, Business related Related Taxes Chapter 241, Amusement Tax, Section 241.04, Amusement Tax Computation by amending the rate of tax	1694, 1846

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
PITTSBURGH CODE TITLE TWO FISCAL		
1333	Title Two, Fiscal, Article IX, Property Taxes, Chapter 261, Personal Property Tax, Section 261.02, Levy and Rate, by deleting the tax rate for 1995 and thereafter in accordance with the provisions of Act	1695, 1847
1362	Title Two Fiscal, Article IX, Property Taxes, Chapter 263, Real property Tax and Exemption by adding Section 263.15, Charitable or Related Tax Exemption Challenges	1719, 1841
1363	Title Two, Fiscal, Article IX, Property Taxes, Chapter 263, Real Property Tax, Section 263.13 Procedures by deleting a separate requirement by the City for Gentrification exemption	1719, 1845

PITTSBURGH CODE
TITLE FOUR
PUBLIC PLACES AND PROPERTY

1390	Title Four, Public Places and Property, Article II Communications, Chapter 425, Cable Communications to Reduce the Franchise Fee for Cable Communications Systems	1754, 1851
1391	Title Four, Public Places and Property, Article II Communications, Chapter 425, Cable Communications to Establish a Maximum Late Payment Fee for the Untimely Payment of Bills for Cable Television Service and Codifying Previously Adopted Customer Service Standards	1754, 1851

PITTSBURGH CODE
TITLE FIVE
TRAFFIC

17	Title Five - Traffic, Parking, Chapter 541, General Parking Regulations, Section 541.07, by adjusting specific fine for violation of 541.01(c)(4) for Street Cleaning Violations	33
----	--	----

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
PITTSBURGH CODE TITLE FIVE TRAFFIC		
268	Title Five, Parking Chapter, by adding Section 549.04 (B) (7) Private Streets as eligible for inclusion in Residential Permit Parking Program if all other criteria are met. (8) Residential Permit Parking Waiving their rights to exemption from City Signage specifically for the placement of permit Parking Signage	291
1394	Title Five, Traffic, Article VII, Parking, Chapter 541, General Parking Regulations and chapter 549 Residential Parking Permit Program to authorize the Public parking Authority of Pittsburgh to administer, supervise and enforce an efficient system of on-street parking in the City of Pittsburgh and to delete provisions regarding the administration and enforcement of the Residential Parking Permit Program by the City	1755
PITTSBURGH CODE TITLE SIX CONDUCT		
688	Title Six, Conduct, Chapter 616, Damaging, Defacing and interfering with Property, Section 616.01, Prohibited Conduct, to specifically protect parks and park fixtures	929, 1072
728	Title Six, Conduct Article I - Regulated Rights and Actions, Chapter 603, Parades and Crowds to require that Department of Public Safety Bureau of Emergency Medical Services determine Whether City of Pittsburgh Paramedics	988, 1087
864	Title Six, Conduct, Article I, Regulated Rights and Actions, by adding a New Chapter 621 Regulation of Pay Telephones for Public Safety Purposes	1137
905	Title Six, "Conduct, Article I - Regulated Rights and Actions, Chapter 611, "Alarms", Section 611-.01, "Definition", Section 611.04 "Repeated False Alarms", Section 611.07 "False Alarm Penalty" by changing the definition of a "False Alarm" and repeated "False Alarms and by adding an additional group of exempt institutions	1143, 1365

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
PITTSBURGH CODE TITLE SIX CONDUCT		
926	Title Six, Conduct Article I - Regulated Rights and Actions, by adding Chapter 602 - Minors	1175, 1250
971	Title Six, Regulated Rights and Actions, Chapter 601.08, "Alcohol or liquor Consumption on Streets or Sidewalks, by providing for a City-Wide ban on the consumption and possession of alcoholic beverages under certain terms and conditions. This ordinance shall be known as the "Open Container Law"	1233, 1291
1307	Title Six, Conduct, Article I, Regulated Rights and Actions, Chapter 601, Public Order, Section 601.14, Violation 7 Penalty, Chapter 609, Weeds and Grass, Section 609.07, Violation and Penalty, and Chapter 619, Refuse Collection and Recycling, Section 619.14, Violation & Penalty, by increasing fines for certain violations of the City Code	1672, 1727
PITTSBURGH CODE TITLE SEVEN BUSINESS LICENSING		
396	Title Seven, Business Licensing, Article III, Sale Business, creating a new chapter which would require the owner(s) of any wholesale or retail business establishment, engaged in the sale of firearms, City's designated License Officer	560
594	Title Seven, Business Licensing, Chapter 777 Mechanical Amusement Devices, Section 777.05 License fees, by increasing the annual license fee for electro-mechanical gambling devices from one hundred eighty-five dollars to five hundred dollars.	792, 936
1142	Title Seven, Business Licensing, Article VII, Service Business, by adding Chapter 768 Tow Trucks	1461

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
PITTSBURGH CODE TITLE EIGHT FIRE		
434	Title Eight, Fire Prevention, Chapter 801 Adoption, Enforcement and Amendments, Section 801.02, Changes Specified, Changes Page 6, by adding a new permit fee for Family Day Care Homes, Changes Page 60, by adding Subsection F-703.5, Child Care Facilities, and by adding Subsection F-703.5.1, Permits	1087
PITTSBURGH CODE TITLE NINE ZONING		
34	Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11 by changing from "R3" Multiple-Family Residence to "C3" Commercial District all that certain property bounded by South Atlantic Avenue	35
35	Title Nine, Zoning, Article III, Chapter 921.02 Zoning District Map No. 7, by changing from "R3" Multiple-Family Residence District to "A1" Commercial-Residential Associated District all that certain property generally bounded by Wabash Street, Neptune Street, Warden Street, McCartney Street, Woodville Avenue and McKnight Street, 20th Ward	328
110	Title Nine, Zoning, Article III, Chapter 921 Changing from R2 Two-Family Residence District to R3 Voskamp Street	950, 1214
117	Title Nine Zoning, Article V, Chapter 993, Exceptions, to allow Riverboat Gambling as a Conditional Use if proper legislative authorization is enacted by the Pennsylvania Legislature	93
230	Title Nine, Zoning, by creating sign regulations for the "C6" district (excluding advertising signs) and by revising the height regulations for new structures in the "C6-A" subdistrict"	629
231	Title Nine, Zoning, Article III, Chapter 921 Section 921.02, Zoning District Map No. 7, by changing from "M2" Limited Industrial District, "M3" Light Industrial District and "M4" Heavy Industrial District to "C6-A" Downtown Riverfront District certain property generally bounded by the Ohio River, Ohio River Boulevard, Western Avenue, Ridge Avenue and Stadium Drive,	629

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
PITTSBURGH CODE TITLE NINE ZONING		
323	Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning, Article III, Chapter 921, Section 921.02, Zoning, District Map No. 6 and 7	348, 843
355	Title Nine, Zoning, Article Three, Districts and Regulations, Chapters 923, 925, 951-971 and Article VI, Planned Development Districts Chapter 973, 976, 977 and 978 to allow Riverboat Gambling	453
394	Title Nine, Article I, Board of Adjustment, Section 909.06(b)(3) - Special Exceptions In Use, is amended to prohibit the granting of a Home Occupation exception which would allow the sale of firearms	560, 1217
395	Title Nine, Zoning, Article I, Administration, Chapter 909 - Board of Adjustment, for Use in certain commercial and industrial districts for retail and/or wholesale establishments engaged in the sale of firearms	92, 458
433	Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 12, by changing from "S" Special District to "M3" Light Industrial district all that certain property bounded by Greeley Street, Eola Scott Way, 16th ward	560, 1218
549	Title Nine, Zoning, Article III, Chapter 921 921.02, Zoning District Map No. 5, by changing from "C1" Neighborhood Retail District	732, 990
550	Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 5, by changing from "C1" Neighborhood Retail District to "RP" Residential Planned Unit Development District, all that certain property bounded by Brighton Road, Goe Avenue 27th Ward	1195
668	Title Nine, Zoning, by further regulating signs and logos on the walls of buildings located in the "C5" Golden Triangle District when located higher than thirty five feet above grade and by prohibiting signs and logos above the roof or roof parapet in the "C5" Golden Triangle District	866
687	Title Nine, Zoning, by eliminating the community parking area use and the major parking area use in the "C5" Golden Triangle District, by further regulating expansion of existing community parking areas	928, 1185

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
PITTSBURGH CODE TITLE NINE ZONING		
711	Title Nine, Zoning, by inserting "nursing home as a use by right in "RP" Residential Planned United Districts under Chapter 975	950, 1214
712	Title Nine Zoning, Article III, Chapter 921 Section 921.02,1 Zoning, District Map No. 11 by changing "S" Special District and "R1" Residential Family District all that certain property bounded by Stanton Avenue	663
761	Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 12, by Changing from "R4" Multiple-Family Residence District to "A1" Commercial-Residential Associated District at 731 Copeland Street 7th Ward	1064, 1289
794	Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 13, by changing from "R3" Multiple-Family Residence District to "M2" Limited Industrial District all that certain property bounded by Second Avenue, Lot No. 106	1099, 1364
885	Title Nine, Zoning, by creating a stormwater management regulatory district under Chapter 986 "Environmentally Sensitive Land Regulations in accordance with watershed management	1140, 1365
1006	Title Nine, Zoning, Article III, Chapter 931, Section 921.02, Zoning District Map No. 12 and Map No. 17, by changing from "R2" two-Family Residence District to "R3" Multiple-Family Residence District all that certain property bounded by: Bartlett Street	1545
1157	Title Nine, Zoning District Map No. 8, by changing from "S" Special District to "M2" Limited Industrial District certain property having frontage on the westerly side of Peola Road and identified as 2155 Peola Road, 62-C-90	954
1170	Title Nine, Zoning, by extending the six-month period to one year for invalidation of conditional use, special exception and variance authorizations and by extending the one-year period to two years for Council and Board of Adjustment renewal of said authorizations	1498
1273	Title Nine, Zoning District Map No. 3, by changing from "S" Special District to "CP" Commercial Planned Unit Development District certain property having frontage on the southeast corner of Chartiers Avenue and Morange Road, 28th Ward	1629

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
PITTSBURGH CODE TITLE NINE ZONING		
1274	Title Nine, Zoning, District Map No. 2 and 3, by changing from "M3" Light Industrial District to "CP" Commercial Planned Unit Development District certain property having frontage on the northerly side of Chartiers Avenue between Hillsboro Street and Municipal Street 20th Ward	1629
1275	Title Nine, Zoning, District Map No. 7, by changing by changing from "M3" Light Industrial District to "CP Commercial Planned Unit Development District certain property having frontage along the southerly side of West Carson Street and along the site of the Duquesne Incline, 19th Ward	1496
1276	Title Nine, Zoning, District Map No. 11, by changing from "M3" Light Industrial District to "C3" Commercial District certain property located along Baum Boulevard between Broughton Street and morewood Avenue, 8th Ward	1629
2006	Title Nine, Zoning, District Map No. 12 and Map No. 17, by changing from "R2" Two-Family Resident District to "R3" Multiple Family Residence District certain property having 230 feet of frontage on the northerly side of Bartlett Street West of Murray Avenue and identified as 5731, 5741 and 5751 Bartlett Street, 14th Ward	1247

PITTSBURGH CODE
TITLE TEN
BUILDING

33	Title Ten, Building, by adding Chapter 1017, Nuisance Abatement	35
60	Title Ten, Building, by adding Chapter 1018, Action for Possession of Rental Unit as a Drug Haven	53
435	Title Ten, Building Chapter 1007, BOCA National Building Code Adoption Section 1007.02, Specified changes - Page 49, Subsection 307.3.1, Child Care Facility, and by adding new Changes Page 51, Subsection 309.4.1, Child Care Facilities so that facilities caring for seven (7) or more children shall be classified as Use Group I-2 and facilities caring for six (6) or less children shall be classified as Use Group RT-E and providing certain licensure requirements	1087

<u>BILL NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
BUSINESS IMPROVEMENT DISTRICT		
577	Establishing the Highland Avenue Business Improvement District identifying the boundaries thereof specifying the improvements to be undertaken the cost and financing of the improvements	775, 1108
REFERENDUM QUESTION		
245	Referendum Question which would amend Section 707 of the Home Rule Charter - Multiple Employment Prohibited	242, 274

AGREEMENTS

BILL NO.	SUBJECT	PAGE
840	1994 Brechmenders, Inc., Vacant Housing Project Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh	1104, 1189
836	1994-1994 Community Development Investment Fund Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$500,000.00 of Community Development Block Grant Program Funds	1104, 1188
828	1994-1995 Facade Matching Grant Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$100,000.00 of Community Development Block Grant Program Funds	1103, 1187
844	1994-1995 Glen Hazel Citizens Association, Inc., Housing Revitalization Project Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh	1105, 1189
832	1994-1995 Golden Triangle Management Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the designation of \$100,000.00 of Authority, Foundation and private contributions	1104, 1188
846	1994-1995 Hill Community Development Corporation Revitalization Project Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh	1105, 1190
838	1994-1995 Manchester Citizens Corporation Revitalization Project Cooperation Agreement with the urban Redevelopment Authority of Pittsburgh	1104, 1189
822	1994-1995 Neighborhood Housing Program Cooperation Agreement with URA providing for the designation of \$1,000,000 of Pittsburgh Home Ownership Program funds	1103, 1186
848	1994-1995 North Side Tenants Reorganizations, Inc., Rehabilitation Project Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh	1105, 1190
842	1994-1995 Oakland Planning and Development Corporation Housing Revitalization Project Cooperation Agreement with the Urban Redevelopment authority of Pittsburgh	1105, 1189
830	1994-1995 Pittsburgh Construction Loan Fund Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$300,000.00 of Pittsburgh Home Ownership Program Funds and Conventional Lender Fund	1103, 1187
820	1994-1995 Rental Housing Development and Improvement Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$750,000 of Community Development Block Grant Program Funds	1102, 1186

AGREEMENTS

BILL NO.	SUBJECT	PAGE
824	1994-1995 Start-An-Enterprise Program Cooperation Agreement with the Urban Redevelopment of Pittsburgh providing for the designation of \$100,000.00 of Authority funds	1103, 1187
826	1994-1995 Street Face Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$400,000.00 of Program Participant Private Investment Funds and Urban Redevelopment Action Grant Repayment Funds	1103, 1187
834	1994-1995 Urban Redevelopment Fund Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$800,000.00 of Community Development Block Grant Program Funds	1104, 1188
109	Accounting Firm to provide Professional Auditing Services as required by the Pennsylvania Department of Labor and Industry	92, 136
252	Agencies that Operate Emergency Shelters	246, 328
972	Agreement amending Resolution 396/1994, various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, by changing "Sprinters Track Club" to "Hill District Ministries, Inc. (Sprinters Track Club)"	1233, 1249
618	Agreement Between the City of Pittsburgh and Carnegie Mellon University the right to construct and maintain a building over a sewer line of the City of Pittsburgh on property owned by Carnegie Mellon	839, 952, 995
1247	Agreement to occupy space for the Community oriented Police Mini-Station program and providing for the payment of utilities, not to exceed \$100.00 per month per occupied space and the renovation and/or modification of the occupied spaces upon the approval of the owner of said space.	1589
887	Agreement with Arlington Heights Residents Council for administrative/operating support in an amount not to exceed \$6,111.00 Amending Resolution 1104/1991	1140, 1215
1434	Agreement with a qualified third party administrator for the administration o f the City of Pittsburgh's liabilities under the Pennsylvania Unemployment Compensation Law for a period of three years at an annual cost not to exceed \$10,800.00	1840, 1886

AGREEMENTS

BILL NO.	SUBJECT	PAGE
1447	Agreement with Law Offices (as yet un-identified) for legal representation as the Solicitor of the Pittsburgh Commission on Human Relations in 1995	1883
1278	Agreement with the Pittsburgh Community Services Small Grant Program for operational and administrative expense, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh	1630, 1699
1397	Agreement with the Public Parking Authority of Pittsburgh to reimburse the Public Parking Authority of Pittsburgh for street work done in conjunction with Mellon Square	1759,1889
924	Agreement with various community organizations for operational/administrative expenses, maintenance of neighborhood facilities for the benefit of residents of the City of Pittsburgh by changing the line item entitled Wightman School to read Wightman School/Carriage House Children's Center Amending Resolution 274/1994	1175, 1217
889	Agreement with various community organizations for operational/administrative expenses	114,1215
685	Al Murphy, facilitator, for management, consultant services for the City of Pittsburgh at an aggregate cost not to exceed \$2,500.00	928, 1070
301	Allegheny County Sanitary Authority, granting ALCOSAN Easement to construct Sewer	457
1296	An Agreement with a collection agency or agencies for professional services in connection with the collection of Claims, Judgments and other debts owned to the City of Pittsburgh	1670, 1698
816	Authorizing 1994-1995 Housing Site Acquisition and Development Fund Program Cooperation Agreement with the Urban Redevelopment of Pittsburgh providing for the designation of \$400,000.00 of Community Development Block Grant Program Funds and Housing Revenue Bond Funds as the Local Matching Share	1102, 1185
1409	Authorizing and directing the Mayor and the Director of Parks and Recreation to enter into an agreement or agreements with the Rector Church Wardens and Vestry of Calvary Protestant Episcopal Church, 7th Ward	1760
1329	Authorizing the Mayor and the Director of Parks and Recreation to enter into agreements in individual amounts of \$10,000.00 or less with various performers, instructors, artists and other persons with specialized skills in connection with the Department's various recreational and instructional programs	1697, 1768

AGREEMENTS

BILL NO.	SUBJECT	PAGE
462	Authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into an Agreement in a form approved by the City Solicitor, with the Pittsburgh Board of Public Education for the purpose of providing professional services in connection with the Summer Lunch Program	661, 702
1420	Authorizing the Mayor and the Director of the Water Department to execute a Cooperation Agreement and amendments thereto with the Pittsburgh Water and Sewer Authority to provide for the creation of a fully operating authority	1761,1861
570	Authorizing the Mayor, the Director of the Department of General Services on behalf of the City to enter into an Agreement in form approved by the City Solicitor to lease from the Beechview United Presbyterian Church Owner a parcel of land band building located at 1621, 19th Ward for the purpose of a Community Oriented Police Mini Station	774, 844
1376	Bethel A.M.E. Church on behalf of The Children of Love Theatre for the benefit of residents of the City of Pittsburgh	1721, 1862
1264	Between the City of Pittsburgh and Allegheny County for the receipt of grant funding for the purchase of an interface between the PAGIS system and EIS system	1675
1371	Big Brothers & Sisters for the benefit with residents of the City of Pittsburgh	1720, 1849
509	Bloomfield Garfield Corporation for operational and/or administrative expenses	696, 740
870	Burns Computer Service for the purpose of providing professional services for the 1994 services for the 1994 Great Race/Finish Line for the Department of Parks and Recreation	1138, 1217, 1219
114	Byrd R. Brown Law Office, for legal representation as the Solicitor of the Pittsburgh Commission on Human Relations	93, 325
1103	Carnegie Institute in connection with On-going Miscellaneous Improvements	1428,1510
1374	Central Northside Neighborhood Council for Youth Consulting Services for the benefit of residents of the City of Pittsburgh	1721, 1849
1269	Church of the Good Shepherd and the Shepherd Wellness Community, a non-profit organization, to provide bi-weekly dinners and other services for City residents	1629, 1698

AGREEMENTS

BILL NO.	SUBJECT	PAGE
797	City Solicitor to enter into an Agreement for the hiring of outside counsel to assist in negotiating labor contracts for the City of Pittsburgh	1100, 1178, 1212
276	City to Lease from Robert Wagner, 1555 Broadway Avenue	329
392	Commonwealth of Pennsylvania, Department of Transportation for the installation of highway, decorative and accent lighting on Smithfield Street Bridge	560, 700
814	Community Based Organization for community Based Organizations for community economic development planning assistance	1102, 1185, 1217
494	Construction and Construction Inspection for Phase I of the City's Fifth/Forbes Street Improvement Project Amending Resolution 1428/1993	694, 797
651	Construction of a Pedestrian Walkway from Three Rivers Stadium to Point State Park	864, 937
1085	Consultant and Vendor for various expenses in connection with the Pittsburgh Advocacy Commission on Youth, by reducing the authorized amount by \$8,333.00 from \$150, 000.00 to \$141,667.00	1360,1470
812	Consultant and Vendor to assist the City in improving its Citizen Participation Process and providing for the payment thereof	1102, 1185
1279	Consultant and Vendors for various expenses in connection with the Pittsburgh Advocacy Commission on Youth, by reducing the authorized amount by \$8,333.00 from \$133,334.00 to \$125,001.00	1630, 1705
457	Consultant for Architectural/Engineering Services in connection with Various City Projects and providing for the payment thereof	660, 742
456	Consultant for construction Inspection Services for Various City Projects	660, 742
137	Consultant for Design Services in Connection with the Widening of Penelope Street Amending Resolution 289/1991	130, 289
139	Consultant for Engineering Services in Connection with the Design of the Rehabilitation of the McArdle Roadway	130
138	Consultant for Engineering Services in connection with the Design of Replacement/Rehabilitation of the Allegheny Park Footbridge	130, 217
1184	Consultant for professional engineering and architectural services in connection with the rehabilitation of Phillips Park Community Center	1539, 1578

AGREEMENTS

BILL NO.	SUBJECT	PAGE
542	Consultant for professional services in connection with the evaluation of applicants as part of the Civil Service Commission's	731, 794
762	Consultant for purpose of conducting, planning and management studies, and related activities in support of such studies including the purchase of data and data analysis	1064, 1109
108	Consultant for various cable consulting services - \$50,000.00	92, 102
1042	Consultant or Consultants for Landscape Arch. Design in connection with the Rehabilitation of Various Playgrounds, by decreasing the total project allocation by \$6,055.88 Amending Resolution 196/1988	1355, 1471
1242	Consultant or Consultants to establish a volunteer program for the Community Oriented Policing Program at a cost not to exceed \$33,800, chargeable to and payable from Code Account Community Oriented Policing Trust Fund, Bureau of Police, Department of Public Safety	1588, 1705
57	Consultant to assist the City of Pittsburgh in the City Information Systems Office	52, 78
463	Consultant to assist the City of Pittsburgh for a month cost of \$7,200.00 in 1993 and \$28,800 in 1994	661, 699
270	Consultants for Engineering Services in connection with the design of the Replacement of the Overbrook Way Footbridge	292, 358
763	Consultants for the purpose of providing architectural and design services, consumer surveys and market studies, promotional activities	1064, 1109, 1147
1335	Consultants services to assist the City of Pittsburgh in acquiring state assistance and funding to work with various agencies of government	1695, 1764
1161	Contract for various expenses in connection with the Pittsburgh Advocacy Commission on Youth, payable from Code Account 4-10-10-1487-93-506-93-10, Index Code 611038, Youth Commission, Department of Parks and Recreation, and for payment thereof", by reducing the authorized amount by \$8,333.00 from \$141,667.00 to \$133,334.00	1497,1548
977	Cooperation Agreement with the URA for the North Shore Redevelopment Project Area, for the reimbursement by the City of the Commonwealth for any expenditures found by the Department of Community Affairs to be ineligible	1233, 1289

AGREEMENTS

BILL NO.	SUBJECT	PAGE
652	Cooperation Agreement - Amending resolution 226/1989, with Carnegie Library in connection with a Feasibility Study for Carnegie Master Program Study at the Branch Libraries, by amending the title to read "Renovations to Carnegie Libraries"	864, 957
287	Cooperation Agreement - Implementation of the Federal Home Investment Partnership Program	294
271	Cooperation Agreement - Pittsburgh Board of Education and "Playground Liberty and You"	292, 358
272	Cooperation Agreement - Pittsburgh Board of Education and "Playground Liberty and You"	358
286	Cooperation Agreement - URA - Implementation of the Federal Home Investment Partnership Program	356
62	Cooperation Agreement - URA for Glenwood Industrial Site	53,95
158	Cooperation Agreement - URA for the North Shore Redevelopment Project Area	134, 212
818	Cooperation Agreement - Urban Redevelopment Authority of Pittsburgh providing for the designation of \$1,000,000.00 of Housing Revenue Bond Funds as the Local Matching Share for a grant	1102, 1186
729	Cooperation Agreement - with the Housing Authority and implementation of "Rehabilitation and Modernization of Housing for Low & Moderate Income Families cost not to exceed \$1,000,000.00	988, 1108
510	Cooperation Agreement between the Housing Authority of the City of Pittsburgh and the City of Pittsburgh for funding of the Central Relocation Agency in the amount of \$480,000.00	696, 740
1398	Cooperation Agreement with Allegheny County to set forth certain terms and conditions governing the respective uses of the area under the Sixth Street Bridge and the Clemente Park River Safety Center	1759,1889
1354	Cooperation Agreement with Armstrong Square, Inc. for the design and construction of street improvements	1718, 1863
627	Cooperation Agreement with the URA for the construction of Phase II of Station Square Road and providing for the payment of the cost	840, 934

AGREEMENTS

BILL NO.	SUBJECT	PAGE
514	Cooperation Agreement with the URA for the North Shore Redevelopment Project Area providing for the reimbursement by the City of Commonwealth for any expenditures found	696, 781
470	Cooperation Agreement with the URA for the performance of certain work in connection with the 1994-1995 Community Development Block Grant Program	662, 739
626	Cooperation Agreement with the URA for the purpose of providing transportation planning and engineering services to conduct a traffic study of Herr's Island	840, 934
1081	Cooperation Agreement with the URA of Pittsburgh for the North Shore Redevelopment Project Area, providing for the reimbursement by the City of the Commonwealth for any expenditures found by the Department of Community Affairs to be ineligible	1360, 1468, 1546
628	Cooperation Agreement with the URA providing for the transfer of funds in the amount of \$71,890.60 from the Authority to the City to Fund Community Development Corporations	840, 934
552	Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to the Authority of an amount not to exceed \$40,000.00	732, 797
1224	Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of \$50,000.00 for the Start-An-Enterprise Program	1572, 1633
1395	Cooperation Agreement-Authorizing the Mayor and the Directors of the Department of Public Safety and General Services to Execute a Cooperation Agreement and amendments thereto with the Public Parking Authority of Pittsburgh to provide for the administration, supervision and enforcement of an efficient system of on-street parking regulation in the City of Pittsburgh	1755
1406	Cooperation and Support Agreement with the Allegheny Regional Asset District and Phipps Conservatory, Inc., whereby the District shall provide a minimum of \$1,835,000 annually for ten years for the support of the Phipps Conservatory	1760, 1887
1415	Cooperation and Support Agreement with the Allegheny Regional Asset District and with the Stadium Authority of the City of Pittsburgh, whereby the District shall provide a minimum of \$10,000,000 annually for ten years for the support of the Three Rivers Stadium	1761, 1885

AGREEMENTS

BILL NO.	SUBJECT	PAGE
1408	Cooperation and Support Agreement with the Allegheny Regional Asset District, Allegheny County and Carnegie Library of Pittsburgh, whereby the District shall provide a minimum of \$11,882,000 annually for ten years for the support of Carnegie Library	1760,1887
1407	Cooperation and Support Agreement with the Allegheny Regional Asset District, Allegheny County and the Carnegie Institute, Inc., whereby the District shall provide a minimum of \$1,886,000 annually for ten years for the support of the Carnegie Institute	1760,1887
382	Cooperative Agreement - with Allegheny County for the purpose of jointly cooperating in the exercise or performance of governmental functions and responsibilities in the areas of but not limited to Public Works, Economic Development Administrative/Financial, Public Systems	541,623
574	Cooperative Agreement between the City of Pittsburgh and the Borough of Brentwood in connection with the milling and paving of Churchview Avenue between Sankey Avenue to Waidler Street	774, 843
498	Cooperative Agreement between the City of Pittsburgh and the Borough of Crafton in connection with the milling and paving of Baldwin Road between Stein to Crafton Boulevard	695, 779
499	Cooperative Agreement between the City of Pittsburgh and the Borough of Crafton in connection with the milling and paving of Crafton Boulevard between Baldwin Road and Noble Avenue	695, 779
995	Cooperative Agreement between the City of Pittsburgh and the Borough of Ingram in connection with the flex base pavement overlay of Charlton Street from Berry Street to the City Line	1246, 1362
497	Cooperative Agreement between the City of Pittsburgh and the Borough of West Homestead in connection with milling and paving of Basic Avenue between Eighth Avenue and the City Line	694, 779
246	County of Allegheny to Lease the Sixth Floor of the City County Building	245
113	Court Reporters, taking testimony at Civil Service Commission and Appeals Board Hearing	93, 170

AGREEMENTS

BILL NO.	SUBJECT	PAGE
92	Dickey, McCamey & Chilcote P.C. for professional services - \$75,000.00	75, 135
1403	Directing the Mayor and the Director of Parks and Recreation to enter into a Cooperation and Support Agreement with the Allegheny Regional Asset District, whereby the City shall receive a minimum of \$3,500,000 annually for ten years for the support of the Regional Park System of the City Parks	1760,1887
1396	Directing the Mayor to enter into an Agreement for drug treatment services in connection with the City's Operation Weed and Seed Program	1759,1888
801	Director of Department of Public Works to enter into an agreement with the Carnegie Institute and Informing Design, Inc., providing for the transfer to City of rights to graphics, specifications and to the interests in connection with the Pittsburgh Wayfinder and Trailblazer Signage System and licensing of rights to Informing Design	1100, 1184
320	Director of Finance, City of Pittsburgh and the Treasurer, Allegheny County to share information relating to property located in the City	320, 543
1049	Easement Agreement or Agreements with the School District of Pittsburgh inconjunction with construction of the new Bedford Water storage tank in the 5th Ward	1356, 1472
142	East Liberty Development Corporation on behalf of Peabody High School Band Parents - \$1,000.00	131
886	Fencing for Fun for operational and/or administrative expenses, including purchase of equipment or materials for the benefit of low-moderate income residents	1140, 1215
1159	For an Easement and/or Right-of-Entry Agreement with the Port Authority of Allegheny County and/or the Pennsylvania Department of Transportation to construct and maintain the foundation of the new Airport Busway/H.O.V. Bridge on the Monongahela Wharf	1496, 1638
1186	For the Provisions of analysis, design, development, programming, and/or training services in conjunction with the feasibility, development, and enhancement or implementation of automated systems for various City Departments	1540, 1593
1112	For the provision of design and development of City-Wide Financial Information systems and providing for the payment of the costs thereof	1428, 1502

AGREEMENTS

BILL NO.	SUBJECT	PAGE
1111	For the provisions of obtaining a people-based court software application that can meet and manage the Housing Court functions of case processing fine/cost collection and reporting functions for a cost not to exceed \$40,000.00	1428, 1502
756	Furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1994	1063, 1107
508	Garfield Can for operational and/or administrative expenses Repealing Resolution 548/1993	696, 740
1375	Greater Pittsburgh Campfire Council for the benefit of residents of the City of Pittsburgh	1721, 1862
1373	Hill PAC for the benefit of residents of the City of Pittsburgh, at a cost not exceed \$5,000.00	1721, 1849
350	Hiring Legal Counsel to assist in the representation of outside legal counsel	563
350	Hiring of outside Counsel to assist City for outside legal counsel	452
1372	Holy Cross Episcopal Church on behalf of the Black College Spring Tour for the benefit residents of the City of Pittsburgh	1721, 1849
1393	Instructors to conduct training at the Training Academy with recruits. The cost of said services shall not exceed \$24,000.00 charged to and payable from PSTA, Department of Public Safety	1754, 1862
424	Internship for Graduate Students for a period of one Year, from January 1, 1994 until December 31, 1994	620, 701
465	Job Development and employment services, job related vocational skills training, and/or on the job training in connection with the 1994 Pittsburgh Partnership Employment Program	661, 737
95	Korean War Veterans of Western Pennsylvania Memorial	75, 145
544	Laboratory or Laboratories for professional services in connection with the administration and evaluation of laboratory	732, 795
425	Lease with Don Morine President, Property Ventures, LTD, certain office, computer and storage space in the Chamber of Commerce Building for two year term and an option year.	620, 702
752	License Agreement - Amending Resolution 1145/1991, between the City of Pittsburgh and the United States Department of Army, granting the Army Corps of Engineers a privilege to conduct exploratory drilling in and around the Saw Mill Run Creek, City of Pittsburgh	1063, 1111

AGREEMENTS

BILL NO.	SUBJECT	PAGE
1399	License Agreement with Duquesne Light Company in connection with the electric service for the Municipal Courts Facility located at 660 First Avenue in the First Ward of the City of Pittsburgh	1759,1889
1141	Operating Support to the following Community Based Organizations undertaking community economic development activities: Pittsburgh Partnership for Neighborhood Development Corporation and Lawrenceville Citizens Council, Inc.	1547
679	Operational Administrative Expenses for the benefit of the residents of the City of Pittsburgh, by increasing the amount allocated to the Mel Blount Youth Home from \$10,000.00 to \$12,000.00	927, 991
430	Operational/Administrative expenses, purchase of equipment and/or rehab of neighborhood facilities	620, 664
431	Operational/administrative expenses for various community organizations	620, 664
450	Organizations for operational/administrative expense; maintenance; supplies benefit the residents of the City of Pittsburgh at a cost not to exceed \$15,500.00	659, 781
41	Peabody High School for an Agreement with Peabody High School Band Parents \$1,000.00 Amending Resolution No. 830/1993	131, 141
183	Pittsburgh Sports & Festival Federation - \$150,000.00	172, 252
366	Pittsburgh Mediation Center for professional services	539,631
179	Port Authority of Allegheny County to Construct and maintain Transit Passenger Shelters	171
798	Professional Consulting Firm to prepare the annual defense spending report for the City of Pittsburgh	1100, 1178
683	Programming and technical support for the computerized crime mapping and crime analysis system for the Bureau of Information Systems, Mayor	928, 989
592	Psychologist for professional psychological services for 1994	792,873,936
747	Public Safety to enter into an Agreement with financial institutions for the use of credit cards and/or automatic teller machines to make payments for citations issued by Pittsburgh Magistrate's Court	1062, 1087

AGREEMENTS

BILL NO.	SUBJECT	
455	Purchase of Equipment and materials in connection with the Overbrook Improvements	660, 741
454	Purchase of equipment and materials in connection with the Asbestos and Lead Testing/Abatement Program	659, 741
365	Purchase of Emergency Operations Center	539, 631
451	Purchase of Equipment and materials in connection with various swimming pool design and rehabilitation	659, 741
452	Purchase of equipment and material in connection with major court renovations	659, 741
453	Purchase of equipment and materials in connection with Ballfield Relighting at various locations	659, 741
184	Purchase of Fuel for City Owned Vehicles	172, 184
537	Purchase of Materials and Equipment in connection with Lighting and Electrical Repairs at various locations	730, 782
1404	Resolution Authorizing and directing the Mayor and the Director of Parks and Recreation to enter into a Cooperation and Support Agreement with Allegheny Regional Asset District and the National Aviary, Inc., whereby the District shall provide a minimum of \$807,000 annually for ten years for the National Aviary in Pittsburgh	1760,1887
1405	Resolution authorizing and directing the Mayor and the Director of Parks and Recreation to enter into a Cooperation and Support Agreement with the Allegheny Regional Asset District and the Zoological Society of Pittsburgh, whereby the District shall provide a minimum of \$3,500,000 annually for ten years for the Pittsburgh Zoo.	1760,1887
1304	Resolution providing for an Agreement with organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, by changing the Grant Recipient from "Charles St. & Surrounding Area Block Watch to Upper Knoxville Block Watch	1671, 1728
1331	Sedgwick James for the administration of the City's Workers Compensatio Program for a period beginning January 1, 1995, ending June 30, 1995	1694, 1726

AGREEMENTS

BILL NO.	SUBJECT	PAGE
1162	Sheraden Youth Center for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City	1497, 1548
1117	St. Mary's Church Lawrenceville Arts Program for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of equipment or materials	1429, 1470
1069	Stenographic reporting services in connection with public hearing and providing for the payment of the costs thereof	1358, 1430
1104	The Carnegie for renovations to various Carnegie Facilities and providing for the payment of the costs thereof at a cost not to exceed \$250,000.00	1428,1510
1101	The Carnegie in connection with Various Branch Library Improvements at a cost not to exceed \$50,000.00	1427, 1509
1102	The Carnegie Library of Pittsburgh for the purpose of purchasing materials and/or equipment for several library branches at a cost not to exceed \$250,000.00	1427,1510
1140	The Pittsburgh AIDS Task Force, Inc., for furnishing of professional services in connection with its program of advocacy services, education, risk reduction, and other programs of awareness and compassion for the benefit of all residents of the City of Pittsburgh so as to correct an error on Resolution 268, Chargeable to and payable from Code Account 1103 (110304) \$40,000, 1988 CDBG Program, \$3,972.00 and 1989 CDBG Program, \$2,000.00	1461, 1546
541	Tod Temporary Agency to supply the Department of Law with temporary personnel with legal experience to replace departing clerical staff as needed	731, 794
684	Training City employees in the use of personal computers and personal computer software packages	928, 989
578	URA as the City's agent for construction of the improvements in the Highland Avenue Business Improvement District and providing for the payment of the cost thereof	775, 1108
1365	Urban Redevelopment Authority of Pittsburgh relating to creation by the Authority of a Development Fund to stimulate residential, commercial, industrial and other development in the City	1720, 1765

AGREEMENTS

BILL NO.	SUBJECT	PAGE
551	Urban Redevelopment Authority of Pittsburgh providing for the transfer of \$75,000.00 from the Downtown Top Shops Program	732, 796
1171	Urban Redevelopment Authority of Pittsburgh providing for the designation of URA as the City's agent for acquisition of certain property owned by CSX Transportation, Inc.	1498, 1576
464	Various agencies for job development employment services in connection with the 1994 Neighborhood Employment Program	661, 737
601	Various agencies for the implementation of the 1994 Pittsburgh Partnership Summer Youth Employment Program	793, 868
573	Various Community Organization for operation/administrative expenses, maintenance, purchase of equipment and/or minor rehabilitation of neighborhood	774, 845
423	Various Community Organizations for Operational/Administrative Expenses	619,665
429	Various Community organizations for operational/administrative expenses	620,664
1007	Various Community organizations for operational/administrative expenses for the benefit of residents of the City of Pittsburgh, by changing Three Five Community Advocates to Hill Community Development Corporation, amending Resolution 1348/1993	1247, 1290
543	Various Hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination	731, 795
86	Vintage, Inc.	73,173
472	Walter H. Drane Company for professional services in connection with the preparation and printing of supplements to the Pittsburgh Code	662, 738
625	Western Pennsylvania Conservancy for the Community Self-help Beautification and Community Gardening Programs in Community Development Neighborhoods	840, 934
813	With Pittsburgh Partnership for operating and/or administrative expenses of their agency involved in a variety of community/economic development activities	1102, 1185
750	With Property Owners within the limits of the Grant Street/Liberty Avenue-Phase III project to permit the City's Contractors to enter upon their property for the sole purpose of construction a concrete block wall bulkhead	1063, 1111
1164	With the Pennsylvania Economy League for the purpose of providing services to the City related to forecasting revenues	1497, 1575
890	YMCA - Arlington Heights Outreach Program for operational support of the agency at a cost not to exceed \$3,903.02	1141, 1215

BILL NO.	SUBJECT	PAGE
ADDITIONAL BENEFITS		
1341	Authorizing and directing the Treasurer to deposit six dollars (\$6.00) from the court costs collection for each parking violation into the Retirees Additional Benefits Trust Account to be used to provide additional health care benefits to retired police officers, firefighters and municipal employees	1719,1863
ADOPTING SEWAGE FACILITIES		
1360	Adopting Official Sewage Facilities for the Glen Caladh Housing, Plan of Property located at the intersection of Glen Caladh Road and Osprey Way, 15th Ward	295
ALLEGHENY COUNTY		
287	Board of Commissioners of Allegheny County to adopt an Ordinance creating the Allegheny Regional Asset District and levying the additional 1% Sales and Use Tax in Allegheny County	949, 1085
AMNESTY PROGRAM		
703	Amnesty Program for costs associated with overdue parking violations for parking in a street cleaning zone, Chapter 541.01 (c) (4), Pittsburgh Code; Meter Parking, Chapter 543.04, Pittsburgh Code and Residential Permit Parking, Chapter 549, Pittsburgh Code	173, 208
APPLICATION		
196	Filing of an Application with the U.S. Department of Justice for a Grant in an amount not to exceed \$1.5 Million in Operation Weed and Second and providing for transfer of certain funds from Operation Weed and Seed Trust	661, 738
467	Application by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Joint Jobs Initiative Program Single Point of Contact Project	

BILL NO.	SUBJECT	PAGE
	APPLICATION	
471	URA to submit application to the Pennsylvania Department of Community Affairs for the designation of the Hazelwood/Hays and a portion of the South Oakland Area of the City of Pittsburgh as an enterprise zone	662, 740
513	Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$500,000 to the Pennsylvania Department of Community Affairs for the North Shore Redevelopment Project Area.	696,780
597	Resolution further amending Resolution 882/1993 as amending by Resolution 1334/1993 entitled Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant in connection with the Job a Training Partnership Act	792, 868
598	Filing of an application by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant in connection with the Job Training Partnership Act	792, 868
599	Filing of an application with the Commonwealth of Pennsylvania for a grant in connection with the Joint Initiative Program Single Point of Contract Project	792, 868
61	Financial assistance with the Pennsylvania Department of Community Affairs - \$250,000.00 - Glenwood Industrial Site Project	53,95
157	Applications in the amount of \$400,000.00 to the Pennsylvania Department of Community Affairs for the North Shore Redevelopment Project Area	133, 212
285	U.S. Department of Housing and Urban development, 3,248,000 Home Investment Partnership Program Fiscal Year 1994	294
		356
		113, 1214

APPOINTMENTS

BILL NO.	NAME	APPOINTMENT	PAGE
1198	Anthony Johnathan Ross	Appointment of Anthony Jonathan Ross as member of the Public Parking Authority of Pittsburgh for a term to expire August 31, 1996	1554, 1591
913	Barbara Burstin	Reappointment as a Member of the City of Pittsburgh's Human Relations Commission, for a term to expire July 1, 1998	1541
916	Barbara Jean Sampson	Appointment as a Member of the City of Pittsburgh's Human Relations Commission for a term to expire July 1, 1998	1149, 1193
914	C. Lu Conser	Reappointment as a Member of the Pittsburgh Human Relations Commission, for a term of July 1, 1998	1149, 1234
341	Candice Henson	Housing Authority Term to Expire December 31, 1998	1149, 1193
581	Charles Dickinson	Appointment to the Comprehensive Municipal Pension Board for a four year term	360,367
529	Charles Dickson	Fire Pension Board of the City for a term of four years	775
917	Chuck Honse	Appointment as a Member of the City of Pittsburgh's Human Relations Commission for a term to expire July 1, 1998	703
1210	Clarence F. Curry, Jr.	Appointment to the Minority and Women Business Enterprise Review Committee for a term to expire on April 30, 1998	1149, 1152
1029	Cliff Merckell	Member of the City of Pittsburgh's Water and Sewer Authority, with a term to expire January 1998	1554, 1591
336	Clifford B. Levine	Zoning Board of Adjustment term to expire December 31, 1996	1284,1309
336	Clifford Benjamin	Zoning Board of Adjustment. Term to expire 12-3-95	454
1026	Cynthia T. Esser	Member of City of Pittsburgh's Planning Commission term to expire 30, 2000	360
1091	David N. Wecht	At Large Member of the Pittsburgh Cable Communications Advisory Committee	1284, 1309
528	Deputy Mayor Sal Sirabella	Police Pension Board for the City for a term of four years	1366
1207	Earl F. Hord	Appointment to the Minority and Women business Enterprise Review Committee to expire on April 30, 1996	703

APPOINTMENTS

BILL NO.	NAME	APPOINTMENT	PAGE
1027	Edward Sweeney	Member of the City of Pittsburgh's Planning Commission with a term to expire September 30, 2000	1554, 1722
1123	Eloise Hirsh	Pittsburgh Historic Review committee for a term to expire December 31, 1995	1430
526	Ferlo, Jim	Comprehensive Municipal Pension Fund Board of the City for a term of four years	1433
1209	Gregg M. Kander	Appointment to the Minority and Women Business Enterprise Review Committee for a term to expire on April 30, 1998	1554, 1591
335	Jesse W. Fife, Jr.	Zoning Board of Adjustment Term to expire 12-31-94	360
335	Jesse W. Fife, Jr.	Zoning Board of Adjustment term to expire December 31, 1994	454
339	Jim Ferlo	Housing Authority Term to expire December 31, 1997	360
443	Judith Doran Dyda	To Public Parking Authority of Pittsburgh, for a term to expire May 31, 1994	631
340	Marva Harris	Housing Authority Term to Expire December 31, 1999	360,367
1090	Michael J. McGee	At Large Member of the Pittsburgh Cable Communications Advisory Committee for a term to expire 12-31-97	1366
337	Murrin, Regis D.	Zoning Board of Adjustment. Term to Expire December 31, 1996	360
444	Nancy Lynn Rose	Public Parking Authority of Pittsburgh, term to expire April 30, 1995	632
527	Paul Hennigan	Comprehensive Municipal Pension Fund Board of the City of Pittsburgh for a term of four years	703
337	Regis D. Murrin	Zoning Board of Adjustment term to expire December 31, 1996	454
1208	Richard Bellasario	Appointment to the Minority and Women Business Enterprise Review Committee for a term to expire on April 30, 1998	1554, 1591

APPOINTMENTS

BILL NO.	NAME	APPOINTMENT	PAGE
1028	Robert F. Provolt, Sr.	Member of the City of Pittsburgh Water and Sewer Authority, with a term to expire January 1995	1284,1309
1124	Robert Gallis	District member of the Pittsburgh Cable Communications Advisory Committee for a term to expire December 31, 1996	1433
361	Rowan Miranda	Water Sewer Authority term to expire December 31, 1995	458
342	Rudolph, James	Housing Authority Term to Expire October 11, 1995	360
582	Sal Sirabella	Appointment to the Comprehensive Municipal Pension Board for a term of four years or their earlier termination as members	775
915	Sandra Glass	Appointment as a Member of the City of Pittsburgh's Human Relations Commission for a term to expire July 1, 1998	1149, 1152
1205	Sandra H. Rosen	Appointment to the Minority and Womens Business Enterprise Review Committee for a term to expire on April 30, 1996	1554, 1722
1027	Sweeney, Edward J.	Member of the City of Pittsburgh's Planning Commission term to expire September 30, 2000	1284
338	Tom Murphy	Housing Authority Term to expire December 31, 1997	360
983	Tom Murphy	Appointment to the Board of Trustees of the Comprehensive Municipal Pension Trust Fund for a term of four years to expire December 31, 1998	1235
71	Beatty, Bud	Appointing as a District 1, Member of the Pittsburgh Cable Communications Advisory Committee for a two year term to expire December 31, 1995	56
416	Board, George	Member of the Human Relations Commission for a term to expire April 1, 1998	567, 616
64	Christopher A. Smith	Member of Urban Redevelopment Authority	54 252

APPOINTMENTS

BILL NO.	NAME	APPOINTMENT	PAGE
260	Curlovich, John	District 2 Member of the Pittsburgh Advisory Committee for a term to expire December 31, 1995	300
291	Cusick, Joseph	Allegheny County Sanitary Authority, Term to Expire 12/31/97	567, 615
411	Elizabeth Pettinger	Member of the Human Relations Commission for a term to expire April 1, 1998	39,43,76
44	Gallo, Faith P.	Director of the Department of Parks and Recreation	56
74	Gracey, Mark	Appointing As a District 5 Member of the Pittsburgh Cable Communications Advisory Committee for a two year term to expire December 32, 1995	39, 43
46	Hennigan, Paul	Director of the Department of Finance	300
292	Horgan, Ralph	Allegheny County Sanitary Authority, Term to Expire 12/31/95	567, 615
413	Hughey, Denise	Member of the Human Relations Commission for a term to expire April 1, 1998	567,615
408	John Hanna	Appointed as Director of the Department of Water	39,42
41	Kraszewski, Ralph	Director of the Department of Public Works	567, 615
412	Kunselman, Harry F.	Member of the Human Relations Commissions for a term to expire April 1, 1998	567, 616
417	McClenehan, Robert C.	Member of the Human Relations Commission for a term to expire April 1, 1998	567, 615
407	Miskovich, Deborah S.	Appointing as Director of the Department of General Services	39, 43
43	Morrow, Jacqueline, R.	Appointing Jacqueline Morrow as City Solicitor, Law Department	148
168	Osborne, JoAnn	Member of Pittsburgh Cable Communications Advisory Committee term to expire December 31, 1995	39,43
45	Parees, Barbara	Director of the Department of Personnel	54

APPOINTMENTS

BILL NO.	NAME	APPOINTMENT	PAGE
66	Paul Hennigan	Member of Pittsburgh Water Authority	39,42
42	Reginella, Fred	Director of Department of Engineering & Construction	562
342	Rudolph, James	Member of the Housing Authority of the City of Pittsburgh, for a term to expire October 1, 1995	54
65	Salvatore Sirabella	Joint City-County Appointee to Public Auditorium Authority	567, 615
414	Weber, Sandra	Member of the Human Relations Commissions for a term to expire April 1, 1998	567, 615
409	William T. Simmons	Member of the City of Pittsburgh Magistrates Court, Term to expire January 1995	567, 615
415	Williams, Christine	Member of the Human Relations Commission for a term to expire April 1, 1998	56
72	Dr. Joseph Eaton	Appointing as a District 3 Member of the Pittsburgh Cable Communications Advisory Committee for a two year term to expire December 31, 1995	567, 615

REAPPOINTMENT

410	Alma Speed Fox	City of Pittsburgh Human Relations Commission for a term to expire April 1, 1998	55
70	Garrubba, Jim	Re-Appointment as an At Large Member of the Pittsburgh Cable Communications Advisory Committee term to expire December 31, 1996	55
68	Paul H. Bethel	At Large Member of the Pittsburgh Cable Communication Advisory Committee, Term to expire December 31, 1996	80
101	Shapiro, Celia	Member of At-Large Pittsburgh Cable Communications Advisory Committee, to expire December 31, 1996	55
69	Wasler, Philip	Reappointing as an At Large Member of the Pittsburgh Cable Communications Advisory Committee term to expire December 31, 1996	56
73	Wellons, Sherman	Re-Appointing as a District 4 Member of the Pittsburgh Cable Communications Advisory Committee for a two year term to expire December 31, 1995	56

ASPHALT

BILL NO.	SUBJECT	PAGE
----------	---------	------

882	Resolution amending Res. 1423, 1993, Authorizing the Department of Public Works to sell reclaimed asphalt, presently stored at Heth Run (located at the rear of the Zoo parking lot, by decreasing the cost of the asphalt	113, 1214
-----	--	-----------

BOARD OF CODE REVIEW

228	Authorizing the Director of the Department of Public Safety and the Chief of Building Inspection to conduct a review and to propose certain regulations and/or legislation for Councils consideration regarding the use of battery operated carbon monoxide detectors	206
-----	---	-----

BOND

397	Issuance of a series of General Obligation Notes, Series 1994 in the aggregated principal amount of \$15,000,000.00 dollars	561, 623
-----	---	----------

BUDGET

656	Amending Resolution 1455/1993, Approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program, by amending the title of EC94-129, Southside Riverfront Park Site Improvements and by amending the funding from \$175,000 RIRA to \$560,000.00 City and \$100,000.00 to RIRA	865, 957
655	Amending Resolution 1455/1993, Adopting and Approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program, by transferring a line item (451 Stadium Ramp Improvements) from the Department of City Planning to the Department of Engineering and Construction	865,937
299	Adopting and approving the 1994 Capital Budget and the 1994 CDBG Program through 1999 Capital Improvement Program Amending Resolution 1455/1993	351
630	Resolution further amending Resolution 1455/1994 Adopting and Approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program and approving the 1994 through 1999 Capital Improvement Program, by creating a New Line Item (Station Square Road)	840,935

BUDGET

BILL NO.	SUBJECT	PAGE
1008	Adopting and Approving the 1993 Capital Budget and 1993 Community Development Block Grant Program; and Approving the 1993 through 1998 Capital Improvement Program, :So as to reduce a line item in City Planning, increase a line item in City Council and create a new line item in City Council	1248, 1365
1048	Adopting and Approving the 1994 Capital Budget and the 1994 community Development Block Grant Program Approving the 1994 through 1999 Capital Improvement Program", by increasing a line item (EC 94-114) Turfed Areas and Landscape Rehabilitation by \$65,8000.00 Amending 1455/1993	1356, 1472
1105	Adopting and Approving the 1994 Capital budget and the 1994 Community Development Block Grant Program and approving the 1994 through 1999 Capital Improvement Program, " by creating a new line item	1428,1510
1113	Adopting and Approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program; and approving the 1994 through 1999 Capital Improvement Program, by creating a new line item (CIS 94-474, financial Information Systems)	1502
1135	Adopting and Approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program; and approving the 1994 through 1999 Capital Improvement Program, by creating a new line item (CIS 94-474, Financial Information Systems)	1428
1338	Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year beginning January 1, 1995	1695, 1824
1339	Fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1995	1695, 1824
1340	Adopting and approving the ;1995 capital Budget and the 1994 Community Development Block Program and approving the 1995 through 2000 Capital Improvement Program	1695, 1825
1359	Adopting and Approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program and Approving the 1994 through 1999 Capital Improvement Program by creating a new Line Item (Meadow Street Rehabilitation Trust Fund Transfer)	1719,1863
176	Adopting the 1994 Capital Budget and Approving the 1994 through 1999 Capital Improvement Program Amending 1455/1993	171

BUDGET		
BILL NO.	SUBJECT	PAGE
193	Making Appropriations to pay the expense of conducting the Public Business of the City beginning Fiscal Year 1994	173, 296
	Amending 1453/1993	
194	Fixing the number of officers and employees of the City of Pittsburgh and the rate of compensation	173, 297
195	Adopting and Approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program and Approving the 1994 through 1999 Capital Improvement Program	173, 248
	Amending 1455/1993	
226	Adopting and Approving the 1994 Capital and the 1994 CDBG Program, by adding a new line item, Way finder Signage Program	205, 298
277	Carrying over balances or portions thereof remain in certain code accounts for 1993 to the same or other for 1994	293, 326
298	Adopting and Approving the 1994 Capital Budget and the 1994 Community Development Block Grant	324
	Amending Resolution 1455/1994	
630	Adopting and Approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program	935
704	Repealing that provision in the "Other Authorizations Section of the 1994 Budget which restored the right to receive City paid and City subsidized health insurance benefits for certain employees retiring on or after January 1, 1994, which had been previously deleted by Resolution NO. 907/1993	949
80	Adopting and approving the 1994 Capital Budget, by providing 1994 funding for the Zoo master Plan Implementation	73,145

CABLE RATES

1392	Resolution regarding Regulation and Rates Charged for Basic Cable Service and Related Equipment	1754, 1752
------	---	------------

CARBON MONOXIDE DETECTORS

228	Authorizing the Director of Department of Public Safety and the Chief of the Bureau of Building Inspection in cooperation with the Board of Code Review to conduct a review and to propose certain regulations and/or legislation with regard to battery operation carbon monoxide detectors	1541, 1596
-----	--	------------

CHANGING NAME

BILL NO.	SUBJECT	PAGE
1193	Resolution changing the name of Ridge Avenue between 1300 and 1400 Blocks of Ridge Avenue (from Chateau Street to Reedsdale Avenue) and the 700 Block of Chateau Street (from Reedsdale Avenue to Ridge Avenue) to North Point Drive	1541, 1595
620	Changing the Name of Ridgway Street to Arena Street between Ledlie Street and 552 Feet in a southwesterly direction	839, 952
758	Changing the name of Freda Way to Swanson Street between Radium Street and Montana Street, 26th Ward	1064, 1107
904	Authorizing the Mayor and Director of Department Parks and Recreation to change the name of East Liberty Park to the Duane A. Darkins Park	1142, 1219

CITY COURT

1342	Authorizing and Directing the Chief Magistrate, City Court to assess and collect court costs in the amount of \$23.50 for each and every violation of the provision of Chapters 541, 543 and 545 of the City Code	1697, 1769
1343	Authorizing the City Controller to create a new General Fund Revenue Line Item within the Pittsburgh Magistrate's Court	1697, 1769

COMMUNITY CONFERENCE

357	Directing the Solicitor and Chief of Police in consultation with City Council to convene a Community and Law Enforcement Conference on the issue of Gang Violence in the City of Pittsburgh	565
-----	---	-----

COMMUNITY DEVELOPMENT STATEMENT

1160	Filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1993 Community Development Block Grant Program, so as to decrease line item "Youth Commission" in the Department of Parks Recreation and add line item "Sheraden Youth Center" in City Council	1496, 1547
1277	Amending Resolution 846/1994, providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing & Urban Development for a grant in connection with the 1993 Community Development Block Grant Program " So as to decrease line item "Youth Commission" in the Department of Parks and Recreation and increase line item "Pittsburgh Community Services, Inc. - Small Grants Program in City Planning	1629, 1699

COMMUNITY DEVELOPMENT STATEMENT

BILL NO.	SUBJECT	PAGE
198	Community Development Statement in connection with the 1994 CDBG Program	174, 250
432	Filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1994 Community Development Statement	621, 664
511	Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1993 Community Development Block Grant	696, 740
888	Amending Resolution 707/1993, providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1991 Community Development Block Grant Program	1141, 1215
1118	Amending Resolution 1219/1993, "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1993 Community Development Block Grant Program	1429,1468

CONDITIONAL USE EXCEPTION

1225	Conditional Use Under Section 993.01(a)(20) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, as amended, to The Oakland School for authorization to use an existing two-story-and-basement structure as a college preparatory high school with a minimum enrollment of 7 students at 362 McKee Place	1573, 1633
1381	Conditional Use under Section 993.01 (a) A (52) of the Pittsburgh Code, title Nine, Zoning, Article V, Chapter 993, as amended, to Appletree Bed and Breakfast, Inc. for authorization to convert and existing three-story structure into a bed and breakfast facility with four guest rooms located at 703 South Negley Avenue, with parking to accommodate four automobiles, on property zoned "R4" Multiple-Family Residence District, 7th Ward	1722, 1850

CONTRACTS

BILL NO.	SUBJECT	PAGE
701	Amending Resolution 917/ 1990/Contract for the installation of the Computerized Traffic - Responsive Traffic Control System, by providing for an agreement with Duquesne Light Company and reappropriating the funds	949, 1073
667	Asphalt Repairs for the Department of Public Works	866,955
458	Bridge Maintenance at various locations, including but not limited to the Mission Street Bridge, Council District 2	660, 742
663	Concrete repairs for the Department of Public Works	866, 955
883	Concrete replacement at various locations throughout the City of Pittsburgh at a cost not to exceed \$700,000.00	1139, 1214
1043	Concrete Step Construction or Reconstruction at various locations in Community Development areas, including but not limited to Sterling Street, Judicial Street, Baldauf Street, Hancock Street and St. Leo Street, by decreasing the total project allocation by \$8,215.83	1355, 1471
654	Construction of Handicapped Ramps in various Communities	864, 992
653	Construction of the Southside Riverfront Restrooms, Amending Resolutions 188/1989 by amending the title and by increasing the total project allocation by \$100,000.00	864, 957
665	Contracts for Safety Surface Installation for the Department of Public Works	866, 955
666	Contracts for Safety Surface Installation for the Department of Public Works	866, 956
243	Demolition and removal of condemned buildings	245,357
1046	Design and Construct Various Walls and/or Slope Remediation projects; and providing for the payment of the costs thereof	1356, 1472
1377	Disposition Contract by and between URA and Bloomfield-Garfield Corporation for the sale of Block 50-L, 10th Ward	1721
661	Fence Repairs, Department of Public Works cost not to exceed \$30,000.00	866, 955
300	Flexible Beam Guardrails at various locations, cost not to exceed \$50,000.00	324, 457
1243	For the purchase of an Electronic Telephone System, to include hardware, software and installation for the Emergency Operations Center, and providing for the payment thereof	1589, 1638
1246	For the Purchase of radios, base stations and related equipment for use by the Department of Public Works and other City Departments in an amount not to exceed \$125,000.00	1589, 1635

CONTRACTS

BILL NO.	SUBJECT	PAGE
140	Full-Depth Asphalt Program	131, 140
700	Furnishing and delivery of equipment for the Department of Public Safety, Bureau of Building Inspection at a cost not to exceed \$75,000.00	949, 991
186	Furnishing and delivery of motorized fire equipment, General Services, \$2,500.00	172, 186
187	Furnishing or installing energy conservation equipment for General Services	172, 187
393	Gyratory Compactor for use on mix design and quality control for flexible pavements	560, 700
662	Installation of Picnic Shelters with site amenities for the Department of Public Works	866, 955
459	Installation of Traffic Signal Equipment at Various Intersections	660, 742
619	Lease purchase and installation of high pressure sodium street lighting for the Department of Public Works	839, 952
777	Letting during the calendar year 1995, of contract and for the use of existing contracts for the maintenance, rental, rehabilitation, renovation inspection or servicing of personal property and also for bonding, insurance, printing and other related services and for the maintenance and repair of building structures	1084, 1147
778	Letting of Contracts and the use of existing contracts for the purchasing of materials, general supplies and equipment by various departments of the City of Pittsburgh, during the calendar year 1995	1085, 1147
460	Miscellaneous Restoration of Various Water and Sewer Authority Projects	660, 742
87	Playground hazard analysis throughout the City of Pittsburgh - \$40,000.00	74, 209
775	Providing for the purchase of equipment and materials in connection with the Rehabilitation of Existing Play Areas in CD areas	1084, 1148
367	Public Sidewalk Construction at various locations within the City, cost not to exceed \$75,000.00	539, 629
368	Public Sidewalk construction at various locations within the City at a cost not to exceed \$75,000.00	628
468	Purchase and delivery of new computer equipment need to replace aging and inadequate existing SPOC equipment purchased in 1987 and 1988	662, 738
1265	Purchase and install a telecommunication system for the Department of Personnel and Civil Service	1628,1700,1767

CONTRACTS

BILL NO.	SUBJECT	PAGE
1266	Purchase and installation of an electronic production switcher for the Department of General Services, Bureau of Cable Communications	1628,1674,1700
1244	Purchase of a Multi-Channel VHF Radio Transmitter for the Emergency Operations Center. Total cost not to exceed \$11,000.00	1589, 1638
776	Purchase of Equipment and Materials in connection with the Renovation of City-Council Chambers and providing for the payment thereof	1084, 1148
1356	Purchase of equipment and/or materials in connection with the Rehabilitation of Roofs of Various Buildings	1719, 1863
495	Reconstruction of Grant Street/Liberty Avenue Phase 3; providing for a Reimbursement Agreement	694, 782
1357	Rehabilitation of the Meadow Street Bridge for a Reimbursement Agreement or Agreements with the Comm. of PA. Dept. of Transportation	1719, 1863
1044	Rehabilitation of Service Buildings, including, but not limited to a new Forestry Building Garage; and providing for the payment of the cost thereof	1355, 1471
774	Rehabilitation of the Mellon Park Wall and providing for payment	1084, 1148
868	Rehabilitation of various landscape and turfing areas	1137, 1220
865	Rehabilitation of various Public Safety facilities and providing for the payment thereof	1137, 1220
867	Renovation and Repair of Ornamental Fences at various locations within the City of Pittsburgh	1137, 1220
866	Renovation of Recreation Centers and Senior Citizens Centers, providing for the purchase of equipment and materials	1137, 1220
1355	Renovation of various Public Buildings;; providing for the purchase of equipment and/or materials for said projects	1718, 1863
751	Renovations to various Swimming Pools in CD areas	1063, 1111
85	Renovations within the City-County Building Amending Resolution 807/1993	73,148
369	Rental and repair of equipment in connection with the City of Pittsburgh Capital Construction Division	539,628

CONTRACTS

BILL NO.	SUBJECT	PAGE
802	Resolution Amending Resolution 161/1994, Contract for a Wayfinder Sinage Program throughout the City of Pittsburgh, by increasing the total allocation by \$500,000.00	1101, 1184
1045	Step Construction or Reconstruction at various locations within the City of Pittsburgh; and providing for the payment of the costs thereof; at a cost not to exceed \$200,000.00	1355, 1471
298	Street Resurfacing Program	351
298	Street Resurfacing Program - Cost not to Exceed \$5,404,000.00	323
702	Street Tree Planting at various locations	949, 1073
1214	To Purchase a Microwave Communications System for the Emergency Operations Center, Total cost shall not exceed \$250,000.00	1571, 1637
664	Various repairs and emergencies for the Department of Public Works	866, 955
708	Various repairs and emergencies for the Department of Public Works	950
185	Various repairs and renovations to City facilities - \$200,000.00	172, 250
227	Wayfinder Sinage Program	206, 298

DEPOSITORIES

1417	Designating Banks and Lending Institutions to act as Depositories for the year 1995 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories	1761, 1885
------	--	------------

DEVELOP MAP

1163	Directing the Departments of City Planning, Bureau of Building Inspection and Law to develop a map, a list of reported complaints, and legal action in relation to Section 8 properties in the City of Pittsburgh	1497, 1630
------	---	------------

DISPOSITION CONTRACT

1305	Disposition Contract by and between URA and MRRC Development Associates for the sale of parcels 10, 11A and 12, 24th Ward of the City of Pittsburgh in Redevelopment Area No. 45 (Residential Construction)	1728
1377	Approving execution of a Disposition Contract by and between URA and Bloomfield-Garfield Corporation for the sale of Block 50-L, Lots 83, 84, 85, 88, 89, 90 91, 92 and 92A	1721, 1849
1378	Approving execution of a Disposition Contract by and between URA and Rosedale Block Cluster, Inc., for the sale of Block & Lot Nos. 175-G-31 and 175-G-71, 13th Ward of the City of Pittsburgh \$1.00	1721, 1849

DISPOSITION CONTRACT

BILL NO.	SUBJECT	PAGE
1379	Disposition by Sale of Land by and between the URA of Pittsburgh and Glen Hazel Citizens Association for the Sale of Block and Lot 56-J-224, in the 15th Ward	1721, 1849
1380	Disposition Contract by and between URA and Northside Tenants Reorganization for the sale of property in the 21st and 25th Wards	1721,1850

EASEMENT

1050	Authorizing the Mayor and the Director of the Department of Engineering and Construction to accept an easement granting the City the right to enter upon the property of Joseph Lauterbach in the 29th Ward, designated as Block 60L, Lot 250 to erect a fence and attach the same to a wall on the property of the Grantee	1356, 1472
301	Allegheny County Sanitary Authority, easement to construct a sewer interceptor on City owned property	324

ENCROACHMENT

998	A.C.H. Tavern, the license to construct a parking area under the Shadeland Avenue Bridge right-of-way between Woods Run Avenue and Lecky Avenue, 27th Ward	1246, 1363
502	Aussie's Downunder Pub and Grill, the privilege and license to construct a sidewalk cafe on a portion of the sidewalk on Liberty Avenue, 9th Ward, 7th Council District	695, 780
569	Authorization to construct public sanitary sewers to serve 15 existing homes along Glasgow Street, Sacramento Street, Merwyn Avenue, Conestoga Avenue, Oterson Street and Washville Street, 20th Ward	774,846,875
422	Bloomfield Bridge Cafe, the license to construct at their own cost an extension to their cafe on portion of sidewalk on Liberty Avenue, 8th Ward, 7th District	619, 700
622	Co-Go's, the license to construct and use at their won cost a planter, seven (7) shrub beds and a chair on and a pipe railing, 32nd Ward	839, 952

ENCROACHMENTS

BILL NO.	SUBJECT	PAGE
107	Dargay, George and Laurel, 511 Braddock Road, a metal fire escape over portion of sidewalk of Hazelwood Avenue, 15th Ward	774, 843
377	Department of Parks and Recreation to grant a license in form approved by the City Solicitor on behalf of the City to the Allegheny Sanitary Authority for the construction of a sewer interceptor through portion of Highland Park	92, 177
500	Diocese of Pittsburgh, Cardinal Center the privilege to construct, a steel roof cornice, curved facade and banner pole to extend over a portion of the right-of-way of First Avenue, 1st Ward, 6th District	541, 630
376	Duquesne Light Company for the installation of overhead electrical system, Schenley Park	695, 779
1003	Granting Cheryl A. Henretty the privilege to construct at her own cost and expense a fence on a portion of the right-of-way on Beryl Way and Chemung Way, 26th Ward	541, 630
757	Granting Clarence and Dorothy Carter, the license to construct a portion of a house porch and concrete steps in the right-of-way of Herndon Street, 20th Ward	1247, 1363
997	Granting Conmant, Inc., the privilege and license to construct at their own cost and expense, a fence under the Shadeland Avenue Bridge right of way between Wood s run avenue and Lecky Avenue, 27th Ward	1063, 1107
800	Granting Daniel and Jane O. Quinn the license to construct at their own cost a portion of a house and fence in the right-of-way of Quinn Drive, 14th Ward	1246, 1362
753	Granting Duquesne Light Company for the installation, operation, maintenance, renewal of an overhead electrical system consisting of two (2) poles, other fixtures and apparatus on City Property Fronting on Barnett Way, 5th Ward	1100, 1146
1004	Granting H.T.C.Y., the privilege and license to construct at their own cost and expense a sidewalk cafe on a portion of the sidewalk area on Oakland Avenue, 4th Ward	1063, 1106
1077	Granting John D. Caruso, 561 Calera Street, the privilege and license to construct, maintain and use at his own cost and expense a building addition on a portion of the right-of-way on Ganges Way, 31st Ward	1247, 1364
575	Granting Joyce Kaloz, the privilege and license to construct, maintain and use at her cost and expense, a fence, wall and wood deck in the right-of-way of Maryland Street, 30th Ward	1359,1467

ENCROACHMENTS

BILL NO.	SUBJECT	PAGE
576	Granting Property Ventures, LTD, the privilege and license to construct, maintain and use at their own cost a ring bus vault (electrical), area along Seventh Avenue	774, 843
1250	Granting Robert L. Easley, the license to construct a metal canopy in a portion of the right-of-way of Perry Street, 5th Ward, 6th Council District	1590, 1674
1189	Granting the Civic Light Opera, The Benedum Center, their successors and assigns, the privilege and license to construct a double sided banner and two posts attached to the front of the building in the 2nd Ward	1540, 1594
805	Granting unto BEEhive Oakland, the license to construct a sidewalk cafe on a portion of the sidewalk on Forbes Avenue, 4th Ward	1101, 1213
1000	Granting unto Daniel B. Wallace, the privilege and license to construct, a driveway in the right-of-way of Dolph Way between Junius Street and Mellinger Street, 20th Ward	1246, 1363
1223	Granting unto Dressel Associates, Inc., Century Building, the license to construct, and use at their own cost and expense a sign encroachment on a portion of the right-of-way on 130 Seventh Street, 2nd Ward	1572, 1632
999	Granting unto John Bogosto, the privilege and license to construct at his own cost and expense, a fence on a portion of Elph Way and Bobby Way, 26th Ward	1246, 1363
804	Granting unto Kerotest Manufacturing Corporation with an address at 2525 Liberty Avenue, the license to construct and use at their own cost and expense, two (2) loading docks and concrete ramps on a portion of Dyke Street, 15th Ward	1101, 1184
1221	Granting unto Kim Mistick, an encroachment to construct an off-street parking area on a portion of the right-of-way of Schaad Street, 32nd Ward	1572, 1632
1078	Granting unto Laborer's District Council of Western PA, their successors and assigns the privilege and license to construct for staging, loading and unloading materials for adjacent property owner's use on a portion of the right-of-way on Congress Street, 3rd Ward	1359, 1467
1001	Granting unto Ned Shekels, the license to construct and use at his own cost, expense and entrance stoop and steps, 814 Selby Way, 17th Ward	1246, 1432
1222	Granting unto Richard Johnson and Cheryl Augustine an encroachment to construct at their own cost and expense a landscape tie wall and a deck on portion of the right-of-way of Jane Street, 16th Ward	1572, 1632

ENCROACHMENTS

BILL NO.	SUBJECT	PAGE
1005	Granting unto Robert Wholey & Company, Inc., the license to construct a canopy over a portion of the sidewalk on Penn Avenue, 2nd Ward	1247, 1364
1190	Granting unto the Union Electric Steel Corporation, the license to construct and use at their own cost a fence encroachment across Woodkirk Street in a portion of the right-of-way on Carbon Street, 28th Ward	1540, 1631
1079	Granting unto the University of Pittsburgh, the privilege and license to construct, maintain and use at their own cost a handicap ramp on a portion of the sidewalk a handicap ramp on a portion of the side walk area on Victoria Street, 4th Ward	1360,1467
1435	Granting unto Warehouse Development Company 5830 Ellsworth Avenue, Pittsburgh, Pennsylvania, 15232-1779, their successors and assigns, the privilege and license to construct, maintain and use at their own expense, a fence with locked gates both ends in portion of the right-of-way on Berlin Way between Fifty-Fourth Street and McCandless Street, 10th Ward	1840
1191	Integra Bank, the privilege and license to construct a handicap ramp in a portion of the right-of-way at 1550 Beechview Avenue, 19th Ward	1540, 1594
501	Integra Financial Corporation, the privilege and license to construct a concrete handicap ramp in the right-of-way of Penn Avenue, 2nd Ward, 6th District	695, 779
1065	License to Duquesne Light Company for the installation, use operation, maintenance, repair, renewal and finally, removal of two (2) anchors, together with other necessary appurtenances on certain property of the City, fronting on Fernleaf Street, 16th Ward	1358, 1469
1067	License to Duquesne Light Company for the installation, use, operation, maintenance, repair, renewal and finally, removal of two (2) poles, and three (3) anchors, together with other necessary appurtenances on certain property of the City, identified as Schenley Park Golf Course	1358, 1469
1002	Mark J. & Mary Ann Barry, the privilege and license to construct a fence on a portion of the right-of-way on Dickson Street, 27th Ward	1246, 1363
182	Mellon Bank, 1401 East Carson Street, a concrete handicap ramp, 17th ward	171, 249
19	Moone, Cleo, 5433 Broad Street, a portion of a retaining wall and parking pad in the right-of-way, Jordan Way	33,78
709	Northside Common Ministries the license to construct a concrete handicap ramp on a portion of the sidewalk area on Freedmore Street, 25th Ward	950, 1072

ENCROACHMENTS

BILL NO.	SUBJECT	PAGE
1192	Overhead Door Company of Greater Pittsburgh, the privilege and license to construct a monorail overhead crane projecting over a portion of the right-of-way on Berlin Way, 10th Ward	1541, 1632
273	Peoples Natural Gas Company to construct a vault upon a portion of the sidewalk at the intersection of Dornbush Street, 13th Ward	292,457
348	Property Ventures, Ltd., license to construct at their own cost a total of 12 trees in a portion of the sidewalk along Seventh Avenue and Smithfield Street, 2nd Ward	452,565
1066	Providing for a license to Duquesne Light Company for the installation, of one (1) anchor, together with other necessary maintenance on certain property identified as West Penn Recreation Center, 6th Ward	1247,1469
764	Renewing Resolution No. 1386, 1993 effective December 15, 1993 authorizing Greenfield Terrace Apartments, Inc. to construct a six story structure on property located at 3908 Lydia Street with 40 units of housing for the elderly and parking to accommodate 8 automobiles	1064, 1109
384	Resolution Renewing Resolution 35/1994 authorizing Western Manor, Inc. to convert an existing five-story structure located at the rear of 2851 Bedford Avenue and identified as Building "D" into 39 unites of housing for the elderly	1140, 1153
512	Resolution Renewing Resolution 77/1993, authorizing Arch Court Inc., to construct a four-story structure to be located at 1310 Arch Street with 39 dwelling units for the elderly and one unit for a resident manager, 22nd Ward	780
370	Richard and Hannah Grace , the license to construct, maintain and use at their own expense a fence on a portion of Saline Street and Liliac Street, 15th Ward	540,628
180	Robert Mistick, 1300 Brighton Road, 40 trees in a portion of the sidewalk along Western Avenue, 22nd Ward	171, 249
181	SMS Engineering, Inc., 100 Sandusky Street, a roof cornice to extend over a portion of the right-of-away	171, 249
1137	The Pennsylvania Institute of Culinary Arts, 808 Liberty Avenue the privilege and license to construct, a vault in a portion of the sidewalk on Liberty Avenue, 2nd Ward	1460, 1504
621	Thomas R. Tripoli the license to construct, maintain a total of eight (8) trees placed approximately eight feet from the curb in the dirt portion of the sidewalk area along South Ninth Street, 17th Ward	839, 952

FEES

BILL NO.	SUBJECT	PAGE
1064	Authorizing the Director of the Department of Parks and Recreation to increase certain admission fees at the Schenley Park Ice Skating Rink, effective immediately	1358,1469,1547

GRANT

1080	URA to submit an Application for Financial Assistance in the amount of \$600,000 to the Pennsylvania Department of Community Affairs for the North Shore Redevelopment Area	1360,1467,1546
815	Submit an application for Financial Assistance in the amount of \$400,000.00 to Commonwealth of Pennsylvania, Department of Community Affairs, for the Housing Site Acquisition and Development Fund Program	1102, 1185
817	Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for Financial Assistance in the amount of \$1,000,000.00	1102, 1186
819	Urban Redevelopment Authority of Pittsburgh to submit application for Financial Assistance in the amount of \$750,000.00 to the Commonwealth of PA, Department of Community Affairs for the Rental housing Development and Improvement Program	1102, 1186
821	Urban Redevelopment Authority of Pittsburgh to submit an application for Financial Assistance in the amount of \$1,000,000.00 to the Commonwealth of Pennsylvania, Department of Community Affairs for the Neighborhood Housing Program	1102, 1186
823	Urban Redevelopment authority of Pittsburgh to submit an application for Financial Assistance in the amount of \$100,000.00	1103, 1187
825	Urban Redevelopment Authority of Pittsburgh to submit an application for Financial Assistance in the amount of \$400,000.00 to the Commonwealth of Pennsylvania Department of Community Affairs Street Face Program	1103, 1187
827	Urban Redevelopment Authority to submit an application for Financial Assistance in the amount of \$100,000.00 to the Commonwealth of Pennsylvania, Department of Community Affairs For the Facade Matching Grant Program	1103, 1187
829	Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$300,000.00 to the Commonwealth of Pennsylvania Department of Community Affairs for the Pittsburgh Construction Loan Fund Program	1103, 1187
831	Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$100,000.00 to the Commonwealth of Pennsylvania Department of Community Affairs for the Golden Triangle Management Program.	1104, 1188

GRANT

BILL NO.	SUBJECT	PAGE
833	Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$800,000.00 to the Commonwealth of Pennsylvania Department of Community Affairs for the Urban Redevelopment Fund Program	1104, 1188
835	Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$500,000.00 to the Commonwealth of Pennsylvania Department of Community Affairs for the Community Development Investment Fund Program	1104, 1188
836	Urban Redevelopment Authority of Pittsburgh to submit an application for Financial Assistance in the amount of \$6,000,000.00 to the Commonwealth of Pennsylvania, Department of Community Affairs for the Community Development Investment Fund Program	1104, 1188
837	Authorizing the filing of an application for financial assistance in the amount of \$600,000.00 to the Commonwealth of Pennsylvania Department of Community Affairs for the Manchester Citizens Corporation Revitalization Project	1104, 1188
839	Authorizing the filing of an application for financial assistance in the amount of \$150,000.00 to the Commonwealth of Pennsylvania Department of Community Affairs for the Vacant Housing Project	1104, 1189
841	Authorizing the filing of an application for financial assistance in the amount of \$780,000.00 to the Commonwealth of Pennsylvania Department of Community Affairs for the Oakland Planning and Development Corporation Housing Revitalization Project	1105, 1189
843	Authorizing the filing of an application for financial assistance in the amount of \$600,000.00 to the Commonwealth of Pennsylvania Department of Community Affairs for the Glenn Hazel Citizens Associations, Inc., Housing Revitalization Project	1105, 1189
845	Authorizing the filing of an application for financial assistance in the amount of \$970,000.00 to the Commonwealth of Pennsylvania Department of Community Affairs for the Hill Community Development Revitalization Project	1105
847	Authorizing the filing of an application for financial assistance in the amount of \$1,000,000.00 to the Commonwealth of Pennsylvania Department of Community Affairs for the North Side Tenants Reorganization, Inc. Rehabilitation Project	1105, 1190
976	Urban Redevelopment Authority to submit an application for financial assistance in the amount of \$560,000.00 to the Pennsylvania Department of Community Affairs for the North Shore Redevelopment Area	1233, 1289

GRANT

BILL NO.	SUBJECT	PAGE
1366	City of Pittsburgh to submit grant applications and execute relevant agreements to the Pennsylvania Department of Community Affairs under the Provisions of the Keystone Recreation, Park and Conservation Fund	1720, 1771

HISTORIC STRUCTURE

1116	Designation as an Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as the Greater Faith Tabernacle Church of God in Christ, more particularly located at 550 North Homewood Avenue, 13th Ward	36
------	--	----

HOUSING

36	Renewing Resolution 152/1993, Authorizing Western Manor, Inc. to convert existing structure located at 2851 Bedford Avenue into 30 units of Housing for the elderly	206, 297
----	---	----------

HUNGER TRUST FUND

232	Authorizing and directing the Mayor and the Treasurer to amend the Pittsburgh Form 40, Earned Income Tax Form, to include a "check-off" box to allow a donation to the Hunger Trust Fund	297
253	Create a Food Pantry Trust Fund	1100, 1145

JOINDER

795	Resolution providing for Joinder by the City of Pittsburgh in a Petition to the Court of Common Pleas, Orphas's Court Division, to add a new class of Trustees to the Board of Trustees of the Carnegie Library of Pittsburgh	1697, 1768
-----	---	------------

LEASE/LICENSE

20	Duquesne Light Company to provide for the installation of the one pole on City owned property along Central Avenue, 27th Ward	34,79
18	National Development Corporation the privilege and license to construct maintain and use at their own expense, one double-faced business identification sign in the right-of-way of Liberty Avenue, 2nd Ward	33,144
20	Port Authority of Allegheny County and the Commonwealth of Pennsylvania to provide for the installation of a Concrete Pad by the City of Pittsburgh within the right-of-way of Ohio River Boulevard	34,79

LEASE

BILL NO.	SUBJECT	PAGE
1220	City of Pittsburgh to exercise its option to extend the term of the agreement of lease with Forbes Street Associates for certain space in the 441 Smithfield Street Building chargeable to and payable from Code Account 1922, Miscellaneous Services, Water	1572, 1635
89	City of Pittsburgh to incur lease rental debt, \$6,000.00	74, 102
144	Community Recreation Center located at 200 Tabor Street, \$9,900.00	132, 144
960	Entering into supporting agreements with the Public Auditorium Authority of Pittsburgh and Allegheny County and the County of Allegheny	1231, 1308
375	Lease and or License and or Management Agreement for the purpose of Senior Centers	540, 630
782	Lease of certain property on the first floor of 908-910 Penn Avenue from July 1, 1994 for a term of 36 months at a rental of \$2,630.83 per month to house classroom and office space for the Joint Jobs Initiative Single Point of Contact Program	1085, 1145
686	M. Berger Land Company for an initial term of five (5) years at an annual rental of \$7,300.00	928, 989
277	Robert Wagner, 155 Broadway Avenue to establish Community Oriented Police Mini Station	293
143	Salvation Army for the use of facility located at 1821 Broadhead Fording Road, \$13,000.00	131 172
246	Sixth Floor of the City-County Building to County of Allegheny County	329
53	Spring Garden Neighborhood Council, Inc., located at 1013 Chestnut Street Amending Resolution 614/1993	51,96
88	Zoological Society of Pittsburgh, with the taking over of the zoo operations Amending Resolution 1399/1993	74, 145

LICENSE AGREEMENT

1330	Peoples Natural Gas Company to install, operate, maintenance, repair and remove 3" polyethylene pipeline on property of the City from Forbes Street to the Ice Rink in Schenley Park, 15th Ward	1697, 1768
996	Director of the Department of Public Works to provide a license agreement with Consolidated Rail Corporation granting the City a license to construct, maintain, repair an electric line over the land and tracks of Consolidated Rail Corporation, 12th Ward	1246, 1362

MISCELLANEOUS

BILL NO.	SUBJECT	PAGE
228	Authorizing and directing the Director of Public Safety and Chief of Bureau of Building Inspection in Cooperation with the Board of Code Review to propose certain regulations and/or legislation for use of battery operated carbon monoxide	357
287	Urging the Board of Commissioners of Allegheny Regional Asset District and Levying the addition 1% Sales and Use Tax in Allegheny County	455
305	Directing the Solicitor to file an appeal with the Commonwealth Court in the case involving Kosmos Cement Company and the Allegheny County Health Department	325
305	Directing the Solicitor to file and appeal with the Commonwealth Court in the Case involving Kosmo Cement Company and the Allegheny County Health Department	455
357	Directing the Solicitor to file and Action in U.S. District Court, or alternatively in the Court of Common Plea, requesting the issuance of a Writ of Mandamus directing a Grand Jury to investigate and prosecute gang activities and gang members	453
512	Resolution renewing Resolution No. 774, approved by City Council on June 8, 1993 authorizing Arch Court Inc., to construct a four-story structure to be located 1310 Arch Street with 39 dwelling units for the elderly and one unit for a resident manager, 22nd Ward	780

OBLIGATION BONDS

781	Directing issuance of a series of General Obligation Bonds, Series 1994A, in the aggregate principal amount of Thirty-Seven Million Dollars (37,000,000 pursuant to the Act of the General Assembly of the Commonwealth of Pennsylvania	1085,1144, 1194
-----	---	-----------------

OFFICIAL SEWAGE FACILITIES PLAN

793	Envirotest partners for the Teledyne Industries Plan of Subdivision on Idlewood Road - additional page 1504	1099,1257,1297
1062	Adopting Official Sewage Facilities for The Southwestern Pennsylvania Veterans' Center Plan of Property located on Highland Drive at Leech Farm Road in the 12th Ward	1358,1474 561,698

OPEN ACCOUNT

BILL NO.	SUBJECT	PAGE
400	Directing the Director of Finance to open an account or accounts with the Commonwealth of Pennsylvania, Office of the Treasurer for the investment of City funds	561,698
401	Directing the Director of Finance to open an account or accounts with the Laurel Funds, Inc., for the investment of City funds	561, 698
402	Directing the Director of Finance to open an account or accounts with the PNC Securities for the investment of City funds	561, 698

PERMIT PARKING

284	Residential Parking Permit Program in Central Shadyside, Amending Resolution 710/1992	356
115	Residential Parking Permit Program, Bloomfield Community Amending Resolution 489/1989	93, 178
284	Residential Parking Permit Program Central Shadyside	294

PETITION

1119	Requesting a Public Hearing to inquire into the failure of the City Bureau of Building Inspection to enforce the laws against major violators while enforcing the law vigorously against homeowners	1429
1437	Petition from the residents of the City of Pittsburgh requesting City Council to conduct a public hearing on Bill No. 1420 which authorizes the transfer of all the City's responsibilities of for the Water Department to the Pittsburgh Water and Sewer Authority	1840
1438	Petition from the residents of the City of Pittsburgh requesting City Council to conduct a public hearing on bill Nos. 1394 and 1395 which authorizes the Pittsburgh Public Parking Authority to administer, supervise and enforce the Residential parking Permit Program and on-street parking regulations	1841
636	Petition from the residents of the City of Pittsburgh requesting City Council to conduct a public hearing on a proposed ordinance amending the Pittsburgh Code, Title Seven, Section 777.05 by amending licensing fees for certain types of coin operated equipment	841

PITTSBURGH PARTNERSHIP EMPLOYMENT

BILL NO.	SUBJECT	PAGE
466	Authorization to make all legitimate administrative expenditures necessary to implement the Pittsburgh Partnership Employment Program	661, 737
600	Authorization to make all legitimate expenditures for wages in connection with the implementation of the Safe Summer 94 and 1994 Pittsburgh Partnership/Summer Youth Employment Program	792, 868

PROPERTY

1070	"Second Class City Treasurer Sale and Collection Act"	1359, 1431
1073	"Second Class City Treasurer Sale and Collection Act"	1359, 1465
1074	"Second Class City Treasurer Sale and Collection Act"	1359, 1465
1132	"Second Class City Treasurer Sale and Collection Act"	1460, 1544
1218	"Providing for the Conveyance by the City of Pittsburgh of certain property under Act 171/1984	1572, 1631
1219	"Second Class City Treasurer Sale and Collection Act" effective December 11, 1984"	1572, 1631
1249	Repealing resolutions, in accordance with Act No. 171 of 1984	1590, 1673
1301	"Second Class City Treasurer Sale and Collection Act" effective December 11, 1984	1671, 1725
1418	"Second Class City Treasurer Sale and Collection Act" effective December 11, 1984	1761, 1885
149	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	132, 208
249	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	246, 326
250	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	246, 326
251	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	246, 326

PROPERTY		
BILL NO.	SUBJECT	PAGE
281	"Second Class City Treasurer Sale and Collection Act" effective December 11, 1984	294, 349
282	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	294, 349
283	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	294, 455
283	"Second Class City Treasurer Sale and Collection Act" effective December 11, 1984	350
30	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	35, 77
31	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	35, 77
321	"Second Class City Treasurer Sale" Amending Resolution 80/1993 Item C	543
322	"Second Class City Treasurer Sale" Repealing Resolution 386/1993 Item D, 18th Ward	543
353	"Second Class City Treasurer Sale and Collection Act" effective December 11, 1984	563
353	"Second Class City Treasurer Sale and Collection Act" effective December 11, 1984	452
354	"Second Class City Treasurer Sale and Collection Act" effective December 11, 1984"	564
354	"Second Class City Treasurer Sale and Collection Act" effective December 11, 1984	453
428	"Second Class City Treasurer Sale and Collection Act" effective December 11, 1984	620, 698
515	URA to acquire all the City's Right Title and interest to the publicly-owned property, 18th Ward	697, 781
516	URA to acquire all the City's Right Title and interest to the publicly-owned property, 3rd Ward	697, 781
517	URA to acquire property in the 21st Ward, Block 7-B Lot 179	697
546	"Second Class City Treasurer Sale and Collection Act", effective December 11, 1984	732, 795
547	"Second Class City Treasurer Sale and Collection Act", effective December 11, 1984	732, 795
548	"Second Class City Treasurer Sale and Collection Act", effective December 11, 1984	732, 795
596	"Second Class City Treasurer Sale and Collection Act", effective December 11, 1984	792, 868

**PROPERTY
ACT NO. 171**

BILL NO.	SUBJECT	PAGE
659	"Second Class City Treasurer Sale and Collection Act", effective December 11, 1984	865, 951
705	Repealing Resolution approved various dates in accordance with Act No. 171 of 1984	949, 1071
706	"Second Class City Treasurer Sale and Collection Act, effective December 11, 1984	950, 1071
707	"Second Class City Treasurer Sale and Collection Act, effective December 11, 1984	950, 1071
754	"Second Class City Treasurer Sale and Collection Act", effective December 11, 1984	1063, 1106
755	"Second Class City Treasurer Sale and Collection Act", effective December 11, 1984	1063, 1106
799	"Second Class City Treasurer Sale and Collection Act", effective December 11, 1984	1100, 1178
876	"Second Class City Treasurer Sale and Collection Act", effective December 11, 1984	1138, 1210
877	"Second Class City Treasurer Sale and Collection Act", effective December 11, 1984	1139, 1210
879	"Second Class City Treasurer Sale and Collection Act", effective December 11, 1984	1139, 1210
93	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	75, 135
962	"Second Class City Treasurer Sale and Collection Act", effective December 11, 1984	1232, 1286
963	Repealing Res. "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984	1232, 1286
994	Repealing Res. "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984	1246, 1361

PROPERTY

BILL NO.	SUBJECT	PAGE
875	Amending Resolution 492/1994, which repealed Res. No. 861, Item F, authorizing the sale of vacant lot 2143 Boustead Street, 19th Ward	173, 248
891	Acceptance by the City of Pittsburgh from the URA of certain property located in the First Ward of the City of Pittsburgh for use by the City in Conjunction with the Municipal Courts Building	1356, 1472
979	City of Pittsburgh from Western Pennsylvania Conservancy of certain property, 31st Ward, for Public Greenway Purposes	1356, 1472
1051	Taking Appropriating and Condemning, by the City of Pittsburgh for public highway purposes, certain property of the Los Conquistadore, Inc., Block and Lot No. 23-J-180, 25th Ward. Repealing Resolution 328/1995, Section No. 2	1356, 1472
1052	Taking Appropriating and Condemning, by the City of Pittsburgh for public highway purposes, certain property of the Michael and Emile Casiglio, Block and Lot 23-J-180, 25th Ward, by amending Resolution 994/1994 Section 2.	1357, 1473
1053	Taking Appropriating and condemning by the City of Pittsburgh, for public road easement purposes, certain property of Robert W. McCune, situated at the intersection of Grandview Avenue and Meridan Street, 19th Ward.	1357, 1473
1054	Taking appropriating and condemning by the City of Pittsburgh, for public road easement purposes, certain property of Samuel H. Triplett, situated at the intersection of Grandview Avenue and Labell Street, 19th Ward, by repealing section 3.	1357, 1473
1055	Taking, Appropriating and Condemning by the City of Pittsburgh, for public road easement purposes, certain property of John R. Gavin, situated at the intersection of Grandview Avenue and August Street, 19th Ward of the City of Pittsburgh	1473
1061	Taking, appropriating and condemning by the City of Pittsburgh for public sewer purposes certain property of Jean Helf, et. al (4-N-190) and Albert Helf (15-A-39) in the 19th Ward, by repealing Section 2 of said Resolution authorizing payment, chargeable to and payable from Code Account	1358, 1474

PROPERTY

BILL NO.	SUBJECT	PAGE
275	Conveyance to Monogahela Connecting Railroad Company	357
545	First Emmanuel Tabernacle Baptist Church of Pittsburgh and Conveyance of certain property, 5th Ward for a nominal amount for the Martin Luther King Reading Room Project Development	732, 1070
961	Certain property in the 10th Ward, City of Pittsburgh, designated as part of Block 121 L, Lot 129, to Helen E. Barlak	1232, 1286
275	Monogahela Connecting Railroad Company a Parcel located between 25th and 26th Streets, Southside	292
964	Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act" effective December 31, 1994	1232, 1286
624	Acquisition from CSX Transportation, Inc., certain property located in the 6th and 9th Wards of the City for Park purposes	840, 870
303	Elizabeth P. Amoah, Travella Boulevard, 12th Ward - \$300.00 Amending Resolution 998/1992	325, 455
351	Chapman, Alma 7453 Hermitage Street, 13th Ward Repealing Resolution No. 1379/1993	452, 563
352	Robinson, Rickey C., 7926 Inglenock Street, 13th Ward Repealing Resolution 909/1993	452, 563

PROPERTY

BILL NO.	SUBJECT	PAGE
1072	Authorizing the City of Pittsburgh to issue a quit-claim deed for property designated in the 15th Ward as 54-M-66, 839 Flemington St, to Thomas and Alison F. Ohlmeyer	1359, 1465
1300	Resolution Repealing Resolution 709/1994, which authorized the sale of a vacant lot, 709 Melrose Street, 25th Ward, 45-S-181A, to Frank C. Locust for \$350,000 as the Title Report was received after the Forfeiture proceedings were initiated	1671, 1725
1115	Authorizing the sale of 2 vacant lots, 1408 and 1410 Eckert Street, 27th Ward, 45-A-41 & 42 to James Labella for \$1,000.00 by deleting 1410 Eckert Street from the sale and reducing the purchase price of 1408 Eckert Street to \$500.00	1429, 1503
1379	Sale of Block and Lot 56-J-224, 15th Ward by and between URA and Glen Hazel Citizens Association for \$3,500.00	1721
1433	Repealing Resolution 206/1993 which authorized the filing of a petition for the sale of property located at 2505 Perrysville Avenue, 26th Ward	1840,1886
274	Mitsch, Luxbacher and Sandra, Cancellation of Sale of Property Reimburse \$350.00 hand money	292
321	Sale of Property in the 13th Ward Repealing Resolution 80/1993, Item C	348, 543
322	Sale of Property Repealing Resolution 386/1993, Item D	348, 543
595	Resolution amending Resolution No. 181, Item A effective March 22, 1994 which authorized the sale of a 3 sty. brk. apt. 619-621 Junilla Street, 5th Ward Block 10-G, Lot 160 to Hill Community Development Corporation for the sum of \$1,025.00	792, 867
878	Sale of City owned Property in the 8th Ward, Block 49-S, part of Lots 377 and 379 to Stanley A. Frankowski for the sum of \$1,750.00	1139, 1210
979	Approving the sale of Block 70-C, Lot 44B, 28th Ward of the City of Pittsburgh by and between the URA and Stanely J. and Julie A. Szwecki	1234, 1290

PUBLIC AUCTION

159	Directing the Director, Department of General Services to conduct a public auction to sell certain Bureau of Cable Communications set accessories	134, 214
-----	---	----------

PURCHASE ASPHALT

660	Resolution authorizing the transfer of funds as invoices are submitted for the purchase of Asphalt at a cost not to exceed \$30,000.00	865
-----	--	-----

READ AND ADOPTED RESOLUTIONS

ALL MEMBERS

BILL NO.	SUBJECT	PAGE
449	Saluting The Great Works of Bishop Duane Adrian Darkins throughout his life and mourns the loss of an honored public official and loyal and trusted friend	658
8	Declaring, December 30, 1993 to be Israel-Vatican Accord Day	23

DAN COHEN

1015	Declaring Tuesday, September 20, 1994 to be Joseph Wehrheim Day for his contribution to the Bloomfield Community	1273
1037	Commending members of the City's Bureau of Emergency Medical Services for their outstanding performance and for their lasting contribution to the citizens of Pittsburgh	1349
1093	Declaring October 9 - 15, 1994 to be Fire Prevention Week in the City of Pittsburgh	1418
1125	Strongly urging the United States Senators, United States Representatives, the Pennsylvania State Legislature and the Governor to adopt a decentralized plan for auto emission testing similar to the current inspection program	1435
1150	Commending Project Bundle-Up for their important contribution and Declares Saturday October 22, 1994 as Project Bundle Up Day in the City	1490
1153	Supporting Healthy Pittsburgh/Allegheny County initiate and its goals, and hereby declares October 21, 1994 to be Healthy Cities Day in the Pittsburgh/Allegheny County	1494
1178	Declaring Tuesday, October 25, 1994 to be Interfaith Volunteer Caregivers Day in the City of Pittsburgh	1530
1236	Commending Allen H. Berkman for his extraordinary leadership in our community and a lifetime of serving others	1586

READ AND ADOPTED RESOLUTIONS

DAN COHEN

BILL NO.	SUBJECT	PAGE
126	Declaring, Tuesday, February 8, 1994 to be Teen Force Day in the City of Pittsburgh	111
127	Urging the United States Congress to restore full funding for LLIHEAP	113
1293	Declaring Friday, November 18, 1994 as "Dorothy Douglass Day" in the City of Pittsburgh	1669
239	Declaring - QED Communication, Inc. to be a Civic Organization	219
261	Declaring - Eastside Alliance to be a Civic Organization	253
311	Declaring - Wednesday, March 23, 1994 as Pittsburgh Golden Gloves and Alzheimer's Disease Alliance Day	342
343	Declaring March 29, 1994 as Susan L. Wolf Day in the City	446
418	Declaring April 17 - 23, 1994, Big Brothers and Big Sisters Volunteer Appreciation Week in the City of Pittsburgh	605
419	Commending the Pittsburgh Police Officers who administer the DARE program and join the President of the United States, through the United States Senate, by proclaiming April 19, 1994 DARE Day in the City of Pittsburgh	607
445	Declaring Sunday May 8, 1994 RACE FOR THE CURE Day in the City of Pittsburgh	653
446	Designating April 24 - 30, 1994 National Crime Victims Rights Week in the City	655
447	Commending the Volunteers of the Pittsburgh Toy Lending Library for their 20 years of service to children and their parents	656
48	Declaring-January 18, 1994 as Raffeale Day in the City of Pittsburgh	46
480	Declaring May 3, 1994 as 'We Get Results When We Work Together Day in the City of Pittsburgh	680
530	Declaring May 8, 1994 to AIDS Awareness Week in the City of Pittsburgh	723

READ AND ADOPTED RESOLUTIONS

DAN COHEN

BILL NO.	SUBJECT	PAGE
566	Declaring May 15 - 22, 1994 as Emergency Medical Services Week in the City of Pittsburgh	770
567	Declaring May 22, 1994 as Eartha Kitt Day in the City	773
608	Declaring Friday, June 3, 1994 Robert M. Frankely Day in the City of Pittsburgh	827
609	Declaring Friday, June 17, 1994 as United Cerebral Palsy "Casual Day" in the City of Pittsburgh	829
644	Declaring Thursday, June 9, 1994, Pat Siger Day in the City of Pittsburgh	857
646	Declaring Tuesday, June 7, 1994 to be Liberty International Studies Student Council Day in the City of Pittsburgh	859
7	Commending and congratulating Bill and Lieba Rudolph for their leadership for the Jewish Community and congratulating the Yeshiva School for 50 years of service	21
857	Declaring Tuesday, July 26, 1994 as Three Rivers Center for Independent Living Day in the City	1133
920	Declaring Tuesday, August 2, 1994 as Pittsburgh BIG League Day in the City of Pittsburgh	1162
950	Commend Monsignor Luigi DiLiegro for his commitment to enhancing the quality of life in Rome, Italy, one of the largest and most important cities in the World	1231

JOE CUSICK

1017	Declaring September 21, 1994 as Mom's House Day in the City of Pittsburgh	1274
1094	Recognizing and declaring the Steel Valley Sportsman Association to be a civic and/or Service Organization within the context of the Pennsylvania Small Games of Chance Act	1420
1179	Acknowledging and commending Bob Kuss and the Brookline Chamber of Commerce for their years of service and dedication to the residents of the City of Pittsburgh	1532

READ AND ADOPTED RESOLUTIONS

JOE CUSICK

BILL NO.	SUBJECT	PAGE
1260	Commending and honoring the Federation of War Veterans' Societies, Inc. for providing the citizens of the City of Pittsburgh and Allegheny County with the Veterans' Day Parade for the past 75 years	1625
1290	Declaring Wednesday, November 23, 1994 as Engine Company 25 Day in the City of Pittsburgh	1668
1316	Commending the efforts of the US Postal Office and especially the students of Carrick High School for their unselfish dedication in helping to make the holiday season better for those fortunate	1688
1387	Congratulating the Steel Valley Authority in its Annual Dinner and supports the Industrial Valleys Investment Corporation as a unique regional jobs alliance which is destined to have a major impact upon this region	1753
1431	Declaring Wednesday, December 21, 1994 as Homeless Memorial Day in the City of Pittsburgh	1838
169	Declaring, February 18, 1994 as George K. Cupples Day in the City of Pittsburgh	163
217	Declaring, Saturday, February 26, 1994 as Leonard "Whitey" Boehm Day in the City	188
223	Declaring, February 22, 1994 John McMahon Day in the City of Pittsburgh	197
293	Congratulating - Frank and Carolyn Capozzi on their 50th Wedding Anniversary	317
312	Declaring Friday, March 25, 1994 as Julia Sinwell Day in the City of Pittsburgh	344
344	Commending Carrick Raider's Girls Basketball Team 1994 Class Quad A City League Girls Basketball Team	447
345	Congratulating Carrick Raiders 1994 Class Quad Basketball Champions	448
384	Recognizing April 11, 1994 as NAACP Day in the City of Pittsburgh	550
49	Encouraging all residents of the City of Pittsburgh and Allegheny County to participate in Project Blue Light	47
49	Encouraging all Residents of the City of Pittsburgh and Allegheny County to participate in Project Blue Light	47

READ AND ADOPTED RESOLUTIONS

JOE CUSICK

BILL NO.	SUBJECT	PAGE
695	Commending the Brashear Bulls Baseball Team for their achievement in winning the 1994 Pittsburgh City League Baseball Championship	945
770	Council of the City of Pittsburgh hereby joins the efforts of the State Senator Michael Dawida in support Senate Bill 1785, creating two lottery games a year that would provide a source of funds for the repayment of bonds on economic development projects	1076
919	Celebrating the valuable contributions of the SMWIA to the City of Pittsburgh and the honor of being chosen as the host to the 39th General Convention, deemed "Dawn of a New Era"	1160

DUANE DARKINS

103	Honoring - African American Business and their contributors to their community, fellow business owners and youth	86
104	Congratulating Youth Build Inc., for its success and commitment	91
128	Recognizing the achievements and accomplishments of Eustace O. Uku, Owner of Exico, Inc.	116
129	Recognizing the achievement and accomplishments of William A. Pratt, Jr.	117
130	Recognizing Temujin Ekumfeo for his achievements and accomplishments in celebration of Black History Month	118
131	Saluting the efforts of the Squirrel Hill Bookstore	121
170	Saluting Robert L. Bob Pitts for his accomplishments	165
171	Saluting Black Women's Political Crusade, 15th Annual Sweethearts Luncheon - Grace Ware	165
172	Saluting Black Women's Political Crusade, 15th Annual Sweethearts Luncheon - Dorcas Turner	166
173	Saluting Black Women's Political Crusade, 15th Annual Sweethearts Luncheon - Annie Martin	166
241	Sickle Cell Society, Inc., Murray Irvis Genetic Disease Center Celebrating Fourth Annual Recognition Dinner	241
346	Declaring April 2, 1994 Trail Blazers Day	450
5	Recognizing the achievements of George Washington Carver and further saluting Camp Achievement	20

READ AND ADOPTED RESOLUTIONS

DUANE DARKINS

BILL NO.	SUBJECT	PAGE
51	Commending-Greater Pittsburgh Alliance of Black School Educators	50
6	Joining Greater Faith Tabernacle Church of God in Christ in celebrating Dr. Martin Luther King Jr.'s 65th Birthday	20

JIM FERLO

1022	Declaring Sunday, September 25, 1994 to be "Madame Mary Caldwell Dawson Day and the National Negro Opera Company Day, City of Pittsburgh	1280
1023	Hereby commending the W. Ralph McNulty Post 214, F.F.W., for its 75 years of dedication, contributions and services that are greatly appreciated by not only the Lawrenceville Community	1282
1092	Declaring Saturday October 8, 1994 as "Graffiti Removal Day and encouraging all residents and property owners to do their fair share and remove graffiti	1416
1099	Declaring Tuesday, October 11, 1994 as "CASIMIR PULASKI DAY in the City of Pittsburgh in honor of this great Polish-American	1426
1183	Proclaiming October 27, 1994 to be "Help Fair" Day in the City of Pittsburgh and urges residents to participate in and take advantage of these valuable consumer services	1539
1212	Declaring November 11, 1994 as "Utility Fair Day Because We Care Day" in the City of Pittsburgh	1570
14	Commending the Rogers School for the Creative and Performing Arts and the Highland Park Community Club for their efforts in removing blight and creating a work of art on Hill Road in Highland Park	29
1430	Commending the Peabody High School Football Team on their 1994 Undefeated Championship Season	1836
1431	Declaring Wednesday, December 21, 1994 as Homeless Memorial Day in the City of Pittsburgh	1838
225	Recognizing Emily L. Bell as the Official Town Crier for the City of Pittsburgh	204

READ AND ADOPTED RESOLUTIONS

JIM FERLO

BILL NO.	SUBJECT	PAGE
239	Declaring - QED Communication, Inc. to be a Civic Organization	219
240	Declaring - Pittsburgh Ballet Theater to be a Civic Organization	219
265	Declaring - March 7 - 11, 1994 as Nation Nutrition Month	284
266	Declaring - March 8, 1994 as Dr. Bruce MacLeod and William B. Dougherty Day	289
310	Joining the coalition for Safe Jobs and the Service Employees International Union in endorsing the Comprehensive Occupational Safety and Health Reform Act (S.575,H.R. 1280)	337
364	Opposing any Involvement in the Mount Graham Telescope Project of the University of Pittsburgh	537
448	Acknowledging the special contributions of the honorees and salutes Mr. Bob Scullion, Sr, Lieutenant Pat McNamar, Father Dominic Oliveri and Mr. Stanley Frankowski for the meritorious service to the people of Pittsburgh	657
487	Declaring the Pittsburgh Children's festival, Inc., to be a Civic and/or Service Organization within the context of the Pennsylvania Small Games of Chance Act	693
586	Commending oriented safety fairs, 7-Eleven/Handee Marts, Inc., for their sponsorship	1131
590	Congratulating Sixth Mount Zion Baptist Church on its 95th Anniversary	790
591	Proclaiming the month of June 1994 as Motorcycle Awareness Month	791
614	Alan Rothenberg, the Chairman of Major League Soccer	834
615	Declaring the Week of June 4, 1994 to be "George Becker and Molly Yard Week in the City of Pittsburgh}	837
647	Proclaiming June 7, 1994 to be Wayne Wyant, Jr. Day in the City of Pittsburgh	860
648	Proclaiming June 9, 1994 to be "The Pittsburgh Project Day in the City of Pittsburgh	862
649	Recognizing June 4, 1994 as Greater Pittsburgh Alliance of Black School Educators Day in the City of Pittsburgh	864

READ AND ADOPTED RESOLUTIONS

JIM FERLO

BILL NO.	SUBJECT	PAGE
746	Declaring Billy Eckstine Day in the City of Pittsburgh in commemoration of this lifelong endeavors and achievement	1062
772	Saluting Black Entertainment Television for taking a leadership role to recognize the positive efforts of African Americans in Pittsburgh	1083
773	Declaring Saturday, July 9, 1994 as the Allegheny Club of the National Association of Negro Business and Professional Women's Clubs, Inc. Day throughout the City	1084
789	Commending John Tokarsi, City Police Officer and declaring July 16, 1994 to be "John Tokarski Day in the City of Pittsburgh	1098
854	Declaring Tuesday, July 26, 1994 as Cheryl Barry Day in the City of Pittsburgh	1130
855	Declaring Tuesday, July 26, 1994 to be "Danny Lagamba Day" in the City of Pittsburgh	1130
940	Proclaiming August 21 - August 28, 1994 as United Electrical, Radio and Machine Workers of America Week in the City of Pittsburgh	1209
989	Commending NeighborFair, Inc., for their continuing efforts to provide services such as Paint Your Heart Out Pittsburgh to those individuals that truly need them	1243
990	Declaring war on AIDS by proclaiming the weekend of September 17, 1994 "Showhouse 94: War On AIDS Weekend"	1244

ALAN HERTZBERG

1016	Recognizing Leonard Duncan for his dedication to the City of Pittsburgh	1273
1149	Council strongly urging the Mayor of the City of Pittsburgh to use the resources of his office to explore all opportunities for public ownership of a minority share of the Pirates	1475
1153	Supporting Healthy Pittsburgh/Allegheny County initiate and its goals, and hereby declares October 21, 1994 to be Healthy Cities Day in the Pittsburgh/Allegheny County	1494
1180	Recognizing the employees of the U.S. Postal Service for their dedication to providing the highest quality of service to the residents of the City of Pittsburgh	1533
1238	Congratulating the Sisters, Servants of the Immaculate Heart of Mary on their Sesquicentennial and their dedicated service to thousands of people in and around the City of Pittsburgh	1587

READ AND ADOPTED RESOLUTIONS

ALAN HERTZBERG

BILL NO.	SUBJECT	PAGE
1318	Congratulating Eagle Scout Christopher Hallam on his recent achievement and commends him for his early success in being presented the Eagle Badge at the Court of Honor Ceremonies	1692
1319	Extending it's deepest appreciation to De De Palombino for her dedication to helping others have a fuller and happier life to thank her for warm and generous nature, and to express our pride in having her as a member of our Sheraden Community	1693
1320	Thanking Bill Ford for his dedication to the Sheraden Community and expressing our gratitude for his hard work and generosity in helping our community	1693
1321	Thanking Maureen Reynolds for her unselfish spirit in enhancing the lives and well-being of others, and express our appreciation for all her wonderful contributions to the Sheraden Community	1693
1429	Commending the staff of the Downtown YMCA and Citi Parks for its outstanding work with the youth and the needy of our community	1834
218	Congratulating Eagle Scout, B.J. Bogus	190
219	Congratulating Eagle Scout, Nicholas Doerr	191
220	Recognizing the Dedication of John Horne to his community	192
481	Congratulating Eagle Scout Joseph W. Harkins on his recent achievement and commends him for his accomplishments	682
531	Declaring Saturday, May 14, 1994 to be Letter Carriers Food Drive Day in the City of Pittsburgh	724
560	Declaring Wednesday, May 18, 1994 as YMCA Scholar Athlete Day in the City	764
583	Proclaiming May 5, 1994 as Barrier Awareness Day and Three Rivers Center for Independent Living Day in the City	683
736	Supporting the Exciting endeavor of the Pittsburgh Area Cycling Coalition called the Carnegie Bikeway	1051
76	Commending Brandon Christian for his courage and unselfishness to his fellowman and declaring Tuesday, January 25, 1994 as Brandon Christian Day throughout the City of Pittsburgh	68

READ AND ADOPTED RESOLUTIONS

ALAN HERTZBERG

BILL NO.	SUBJECT	PAGE
858	Commending the Pittsburgh Founders Council, Pittsburgh Sister Cities Association, USAir and British Airway for their tremendous efforts in helping youth world wide	1135
935	Recognizing Dorothy Saxer for her volunteer work for Partners in Parks and for her tremendous public service to the citizens of Pittsburgh	1204
936	Congratulating Reverend Stephen A. Stevens of the Prison Fellowship for his public service to the Citizens of Pittsburgh and for the overwhelming success of the Partners In Parks Criminal Justice Project	1205
937	Commending FCI Morgantown and the inmate volunteers for their public service to the citizens of Pittsburgh	1205
938	Commendations to Carl Mancuso for his exemplary service to the City of Pittsburgh and extends best wishes for continued success as he begins this new era of challenge	1207
991	Recognizing and declaring "Pittsburgh Cares" to be a Civic and/or Service Organization within the context of the Pennsylvania Small Games of Chance Act, as amended	1260

VALERIE MCDONALD

1317	Giving praise and commendations to the living legacy of Walter C. Worthington, and declaring Sunday December 4, 1994 as "A Tribute to a Living Elder in the City of Pittsburgh	1690
1388	City Council of Pittsburgh does hereby join with students, faculty and friends of Belmar Elementary School in wishing Lorraine Nance good health and much happiness as she retires, and hereby proclaims December 8, 1994 as Loraine Nance Day in the City of Pittsburgh	1753
1430	Commending the Peabody High School Football Team on their 1994 Undefeated Championship Season	1836

READ AND ADOPTED RESOLUTIONS

BOB O'CONNOR

BILL NO.	SUBJECT	PAGE
1018	Proclaiming September 18 through September 24, 1994 as National Adult Day Care Center in the City of Pittsburgh	1275
1095	Declaring, Saturday, October 8, 1994 as Sons of Columbus Day in the City of Pittsburgh	1421
1150	Commending Project Bundle-Up for their important contribution and Declares Saturday October 22, 1994 as Project Bundle Up Day in the City	1490
1152	Declaring Friday, October 21, 1994 as "Sister M. Sylvia Schler Day in the City and commending her for her tireless efforts to improving the well being of the residents of the Greater Pittsburgh area	1494
1181	Declaring Tuesday, October 25, 1994 as "Bill Siefert Day in the City of Pittsburgh	1535
1211	Declaring and Recognizing Calliope House, Inc. to be a Civic and/or Service Organization within the context of the Pennsylvania Small Games of Chance Act, as amended	1570
1239	Joining with the students, faculty and friends of Colfax Avenue School in wishing Madeleine Sabo good health and proclaiming Friday, November 4, 1994, as Madeleine Sabo Day in the City	1588
1240	Joining St. Francis Central Hospital in congratulating the recipients of this year's Employee Service Awards and commending them for their hard work and invaluable service to both the hospital and members of the Greater Pittsburgh Community	1588
1261	Proclaiming the day of November 20, 1994 as Jewish Sports Hall of Fame Day in the City of Pittsburgh, in honor of the 1994 inductees	1625
1262	Acknowledging the distinguished career of Chief Magistrate Donald Machen and commends him for his tireless efforts on behalf of and invaluable service to residents of all ages of the City of Pittsburgh	1626
1291	Joining the Greenfield Organization in honoring those people who have given so much of their time and energy to improving the quality of life of everyone in the community	1668

READ AND ADOPTED RESOLUTIONS

BOB O'CONNOR

BILL NO.	SUBJECT	PAGE
221	Declaring, February 22, 1994 to be Greenfield Day in the City of Pittsburgh	193
222	Declaring February 9, 1994 to be "Allerdice Service Appreciation Day in the City	105
264	Commending All the Organizers and Participants of the Annual St. Patrick's Day Parade	282
294	Proclaiming, March 15 - 25, 1994 as Greek Week in the City of Pittsburgh	318
295	Declaring March 20 - 16, 1994 as Peace on Earth Week in the City of Pittsburgh	320
347	Declaring March 23, 1994 as Education Day in the City of Pittsburgh	451
362	Declaring Saturday, April 9, 1994 to be "The Day of Champions Association Inc. Day" in the City	533
386	Declaring, April 9, 1994 as The Champions Association Inc. Day in the City of Pittsburgh	551
387	Declaring, April 1994 as "Occupational Therapy Month"	554
420	Declaring April 18 - 25, 1994 to be "Organ and Tissue Donor Awareness Week	608
532	Proclaiming, May 11 through May 15, 1994, "Be A Sport Days" in the City of Pittsburgh	725
533	Declaring May 7, 1994 to be "Pennsylvania Sports Hall of Fame" in the City of Pittsburgh	728
534	Declaring Wednesday, May 11, 1994 to be "Hillel Academy Day" in the City of Pittsburgh	728
561	Declaring May 8 to 8, 1994 as Catholic Youth Association Week in the City of Pittsburgh	766
588	Declaring May 21, 1994 to be "Breakfast for Champions Day in the City of Pittsburgh	790
645	Declaring June 5, 1994 to be Linda Dickerson Day in the City of Pittsburgh	858
674	Declaring June 1994 as "Jim O'Brien Month in the City of Pittsburgh	922
696	Commending and honoring the efforts of the Ancient Order of Hibernians County Board	945
7	Commending and congratulating Bill and Lieba Rudolph for their leadership for the Jewish Community and congratulating the Yeshiva School for 50 years of service	21
718	Declaring the week of July 3 through July 10, 1994 as the "Barbershop Singers Week" in the City of Pittsburgh	984
719	Congratulating the Phillies on their Baseball Championship	985

READ AND ADOPTED RESOLUTIONS

BOB O'CONNOR

BILL NO.	SUBJECT	PAGE
738	Declaring July 10, 1994 as "Paul Stackhouse, Sr. Day in the City of Pittsburgh	1053
771	Declaring July 17 through July 23 to be "Linden Garden Club Week in the City	1082
786	Declaring July 17 through July 24, 1994 to be "Pittsburgh Vintage Grand Prix Race Week in the City of Pittsburgh	1094
853	Declaring August 4-7, 1994 to be "Regatta Weekend" in the City of Pittsburgh	1128
922	Supporting Neighborhood Beautification and declaring August 7 through August 13 as Neighborhood Beautification Week" in the City of Pittsburgh	1166
949	Commending the International Association of Women Police and the Women Police of Western PA, and declaring September, 1994 to be "The Month of Women Police" in the City of Pittsburgh	1229

DAN ONORATO

1019	Congratulating the parish of Holy Emmanuel Evangelical Lutheran Church	1277
1020	Declaring Saturday, September 24, 1994 at Woods Run Alumnus Day, in the City of Pittsburgh	1278
1096	Commending the Columbus Day Parade Committee for their outstanding contributions to the Italian/American Community as well as the entire City of Pittsburgh, to make the 1994 Columbus Day Parade and Festival a success	1422
1151	Declaring October 22, 1994 as "North Shore River Day in the City of Pittsburgh in honor of the official opening of the North Shore Segment of the Tree Rivers Heritage Trail	1492
1237	Congratulating The United Methodist Church Union on the celebration of its 100th anniversary and commends all those whose hard work and efforts have made this Centennial anniversary possible	1587
1292	Congratulating Photo Anitquities as it observes "The History of Photography Month, during November 1994 and heartily recognizes its efforts in providing cultural and historic experience	1669
132	Proclaiming the week of February 13 - 19, 1994 as Child Passenger Safety Week	121

READ AND ADOPTED RESOLUTIONS

DAN ONORATO

BILL NO.	SUBJECT	PAGE
1322	Recognizing the hard work and efforts of the members of Fort Pitt Chapter #13 of the Telephone Pioneers of American and commends them for volunteering their own time to aid in the betterment of the residents of the City	1694
1387	Congratulating the Steel Valley Authority in its Annual Dinner and supports the Industrial Valleys Investment Corporation as a unique regional jobs alliance which is destined to have a major impact upon this region	1753
174	Congratulating Danny Mitchell for his victory at Silver Gloves Regional Championship and Commending Rose Athletic Club for its efforts in working with youth of the Northside	166
197	Declaring, Tuesday, February 22, 1994, John McMahon Day in the City	197
388	Commending the United Way of Allegheny County, Mellon Bank, and the Corporate Volunteer Council	556
389	Congratulating St. Ambrose Parish to celebrate 100 years of Service	558
390	Declaring Saturday, April 9, 1994 as Joe Laquatra Day in the City of Pittsburgh	559
482	Congratulating Eagle Scout Edward S. Harkins on his recent achievement and commends him for his accomplishments	683
589	Recognizing the Northside Leadership Conference Awards Dinner	790
675	Recognizes and joins the North Side Veterans Council in honoring their fifty-eighth annual Flag Day Celebration	923
720	Congratulates Most Holy Name Parish on its celebration of its 125th Anniversary	986
737	Recognizing the hard work, determination and personal sacrifice involved in making the Progressive Readiness Employment Program a success	1052
77	Declaring January 22, 1994 to be American Culinary Federation Day in the City of Pittsburgh	69
78	Recognizing the Charitable works and tireless efforts of Odelia Thomas and declaring her day throughout the City on January 25, 1994	70

READ AND ADOPTED RESOLUTIONS

DAN ONORATO

BILL NO.	SUBJECT	PAGE
787	Welcoming all the individuals visiting our beautiful City as guests of the Sixty Seventh Annual Register of Wills and Clerk of Orphan Court Convention and Commending Jay Costa, Jr. and the Register of Wills office for working to make this convention possible	1096
859	Declaring Wednesday, July 20, 1994 as Bill Waters Day in the City of Pittsburgh	1135
921	Congratulating the Pittsburgh (B.I.G.) Baseball is Great League for winning the Mayor's Cup Little League Tournament	1164
923	Recognizes the hard work and efforts of the Pleasant Valley Reunion Committee and declares an enthusiastic "Welcome Home" to all of the Pleasant Valley dwellers who return home an attend the festivities	1174
946	Declaring Sunday September 11, 1994 as Pressley Ridge Day in the City of Pittsburgh for the "Second Annual Ice Cream Sunday" event a success	1227
947	Declaring Monday, August 22, 1994 as Louise Costa Day in the City of Pittsburgh	1228
948	Recognizes all the individual's responsible for enabling St. Nicholas Church to celebrate 100 years worth of masses, meeting and Church project and wishes all of the people of St. Nicholas Church a Happy Centennial	1229
984	Commending and Congratulating the Riverview park Centennial Committee for their hard work and dedication in planning this superlative and memorable Riverview park Centennial Celebration	1238
985	Commending and Congratulating Sergeant Walton Rose, for bravery and valor while in action for the United States Army Infantry	1241
986	Congratulating Mr. Orlando Giorgetta, his Seventieth Birthday, September 16, 1994	1241

GENE RICCIARDI

1038	Proclaiming the Week of September 25, 1994 as "Public Works Week" in the City of Pittsburgh	1351
1097	Joining the Solid Rock Youth Foundation in honoring the Reverend Linwood H. Lewis for his dedication to our you people and declaring Saturday, October 1, 1994 as Reverend Linwood H. Lewis Jr, Day in the City of Pittsburgh	1424

READ AND ADOPTED RESOLUTIONS

GENE RICCIARDI

BILL NO.	SUBJECT	PAGE
1176	The Council of the City of Pittsburgh shall delay action upon any Ordinance which would reduce at the City Amusement Tax rate until the owners or boards of directors of organization who are subject to the City's Amusement Tax and whose annual gross revenues exceed one million dollars reduce the prices of tickets, subscriptions, or admissions commensurate with the proposed reduction in the City Amusement Tax	1511
1177	Declaring, Saturday, October 29, 1994 as Catherine Henderson Day in the City of Pittsburgh	1528
1262	Acknowledging the distinguished career of Chief Magistrate Donald Machen and commends him for his tireless efforts on behalf of and invaluable service to residents of all ages of the City of Pittsburgh	1626
1263	Recognizing and declaring the Save our Churches Organization to be a Civic and/or Service organization within the contents of the Pennsylvania Small Games of Chance Act	1627
1293	Declaring Friday, November 18, 1994 as "Dorothy Douglas Day" in the City of Pittsburgh	1669
133	Recognizing the Passon Play "Veronico's Veil" on its Diamond Anniversary and commends the Prince of Peace Parish	124
1389	Declaring December 7, 1994, "29th Ward Carrick Block Watch Day" in the City of Pittsburgh	1754
313	Congratulating the Prince of Peach Parish for demonstrating that cultural diversity does not mean division	346
391	Congratulating Carlow College Campus School for 100 years of excellent service to their students	560
449	Discussion Bill 345, Congratulating Carrick Raiders 1994 Class Quad Basketball Champions	449
484	Congratulating the Red Rebels on their athletic efforts and achievement during the 1993-1994 Pittsburgh Amateur Hockey League and the Central Pittsburgh Hockey Association for their efforts on behalf of women's amateur ice hockey	685
485	Declaring the Month of May as Mediation Month in the City of Pittsburgh	687

READ AND ADOPTED RESOLUTIONS

GENE RICCIARDI

BILL NO.	SUBJECT	PAGE
613	Declaring Friday, May 20, 1994 as Boy Scout Troop 208 Day and Joseph H. Linz, Sr. Day in the City of Pittsburgh	834
697	Declaring Sunday, June 12, 1994 as Father Michael Salvagna Day in the City of Pittsburgh	947
698	Declaring June 24, 1994 as "Monsignor Michael Poloway Day in the City	947
739	Declaring Tuesday, July 5, 1994 "Peter Zlokas Day" in the City of Pittsburgh, Marble Champion	1055
740	Declaring Tuesday, July 5, 1994 "Peter Zlokas Day" in the City of Pittsburgh, Marble Champion	1055
741	Congratulating Justin Zlokas on placing 3rd in the Allegheny County Marbles Tournament	1056
742	Congratulating Stephanie Zloaks for placing 2nd in the 1994 National Marbles Tournament	1056
743	Congratulating Kim Marie Shuttleworth 1994 National Marbles Tournament Champion	1057
744	Congratulating the Solid Rock Foundation and their coordinators for their initiative in creating the "All Kids Ain't Bad project	1059
75	Declaring-Monday, January 31, 1994 as "Bethlehem Lutheran Church Day in the City of Pittsburgh	67
860	Declaring Friday, July 29, 1994 as Julia H. Fortunat Day" in the City of Pittsburgh	1136
986	Declaring Friday, June 17, 1994 as "Drug Awareness Through Positive Self-Image" Day in the City of Pittsburgh	1242
987	Extending recognition to the Members of the Voices of Faith singing group for their labor of love to their community	1242
988	Recognizing the contributions and dedication of Reverend Donald O. Clay, Jr. and extends best wishes for continued success in his efforts to bring peace and love to all people	1242

CHRISTOPHER SMITH

10	Recognizing the Volunteer Services rendered to the Jake Milliones Memorial Halloween Parade and Party	25
1098	Commending and giving rave reviews to Duquesne University, the John G. Rangos, Sr. School of Health Science, Department of Physician Assistant and declares Thursday, October 6, 1994, as "National Physician Assistant Day" in the City of Pittsburgh	1424

READ AND ADOPTED RESOLUTIONS

CHRISTOPHER SMITH

BILL NO.	SUBJECT	PAGE
11	Recognizing those African American Business which supported the Jake Milliones Memorial Halloween Parade	25
1126	Commending Thrift Drug Store chain for showing confidence in the economic growth of Downtown Pittsburgh and declares Monday, October 17, 1994 as "Feeling Grand Day" in the City of Pittsburgh	1459
1177	Declaring, Saturday, October 29, 1994 as Catherine Henderson Day in the City of Pittsburgh	1528
1182	Congratulating and joins in the Celebration of the 88th Anniversary of Mount Ararat Baptist Church and declares Sunday October 30, 1994 as the Mount Ararat Baptist Church Day in the City of Pittsburgh	1538
12	Recognizing the Hill House Association, House of Crossroads, Lower Hill YMCA Outreach, PBA the 2nd Step and Three Rivers Employment Service, Inc. for participating in the Jake Milliones Memorial Halloween Parade and Party	27
1278	Declaring Tuesday, September 20, 1994 as Goodwill Industries and Pittsburgh Mercy Health System Literacy Advocate Day in the City of Pittsburgh	1279
1294	Recognizing Allegheny County Public Schools as a civic organization as defined in the Pennsylvania Small Games of Chance Act	1670
13	Proclaiming-Friday December 31, 1993 as Hubert C. & Virginia L. Smith Day in the City of Pittsburgh	28
175	Declaring the Week of February 14 - 20, 1994 as Labor Rights Week	171
224	Declaring, February 27, 1994 Mister African-American Competition Day in the City	200
242	John P. Robin, for his unparalleled service to the City	242
296	Declaring - March 19, 1994 at Allen Chapel Improvement Committee Day in the City	322
297	Recognizing - Bon Ami Temple No. 49	323
363	Declaring Saturday April 9, 1994 to be University of Pittsburgh Black Law Students Association Community Clinic Day	534

READ AND ADOPTED RESOLUTIONS

CHRISTOPHER SMITH

BILL NO.	SUBJECT	PAGE
421	Urging the Mayor of the City of Pittsburgh to join the opposition and urges that the City's representative on Southwestern Pennsylvania Regional Planning Commission oppose approval of the partial Environmental Impact Statement and oppose inclusion of the partial project in the region's Transportation Improvement	611
486	Commending the Allen, Anderson/Coles, Humphries, Hurst and Moncrief families for their valuable contributions to the Pittsburgh community and for serving as models of success within the African-American Community	691
50	Congratulating - One Voice Against Racism	49
51	Commending-Greater Pittsburgh Alliance of Black School Educators	50
52	Commending Alfreda Tyson for her tireless work with Hand and Hand Incorporated	51
535	Declaring Sunday, May 15, 1994 as Andy Warhol Sunday, in the City of Pittsburgh	729
536	Extending best wishes to the Committee and Members for success as they conduct their annual Community Prayer Luncheon on May 7, 1994	730
563	Congratulating PBA, Inc. The Second Step for 24 years of service to its citizens and declares Friday, May 20, 1994 as PBA, Inc. Day in the City	768
564	Declaring Sunday, May 22, 1994 as the Centre Avenue YMCA Day in the City of Pittsburgh	769
565	Congratulating the Revered Paul E. Roberts on the celebration of his Tenth Pastoral Anniversary at the Friendship Community Presbyterian Church of West Oakland	770
6	Joining Greater Faith Tabernacle Church of God in Christ in celebrating Dr. Martin Luther King Jr.'s 65th Birthday	20
610	Proclaiming June 1994 as African American Men's Month in the City	830
611	Declaring June 3-5 1994 as Wesley Center A.M.E. Zion Church Weekend	832
612	Welcoming Bishop Donna J. Rice, Jurisdictional Bishop, overseer for Fellowship of Love Inc. and her husband Elder Gerald Rice on May 29, 1994 and wishing them continued success	833

READ AND ADOPTED RESOLUTIONS

CHRISTOPHER SMITH

BILL NO.	SUBJECT	PAGE
676	Declaring Thursday, June 16, 1994 as Day of the African Child in the City of Pittsburgh	925
677	Saluting all youth and gives rave reviews to Urban Actin for 28 years of Services and declares Wednesday, June 15, 1994 as Urban Youth Action Day in the City	926
678	Declaring Saturday, June 25, 1994 as Charles and Marie Upshur Day in the City of Pittsburgh	948
693	Celebrating the life and works of Bishop Duane A. Darkins	693
745	Paying tribute to Mr. Roger R. Babusci, Schenley High School and declaring September 9, 1994 as Mr. B Day in the City	1061
766	Celebrating WIC's 20th birthday at the Hill House On May 19, 1994	767
788	Declaring Saturday, July 16, 1994 as the Lessene Kin Folk Day in the City of Pittsburgh	1097
9	Recognizing that the 3-5 Community Advocates recognizes the Westinghouse High School Band for its participation in their annual Halloween Parade	23
927	Declaring Saturday, June 25, 1994 as Charles and Marie Upshur Day in the City of Pittsburgh	927
939	Declaring Saturday, August 20, 1994 as Homeless Awareness Community Day in the City of Pittsburgh	1208
987	Extending recognition to the Members of the Voices of Faith singing group for their labor of love to their community	1242
988	Recognizing the contributions and dedication of Reverend Donald O. Clay, Jr. and extends best wishes for continued success in his efforts to bring peace and love to all people	1242

RECOMMIT

BILL NO.	SUBJECT	PAGE
317	Bill 317 - \$8,000 Warrant for KMPG Peat Marwick	700

REPEALING

1047	Repealing various resolutions from various years	1356,1549
------	--	-----------

REPORT

1308	Resolution authorizing and directing the Chief of BBI to identify illegal dumping sites and authorizing and directing the Director of Public Works to manufacture and install signage at the identified dumping sites advertising the availability of rewards pursuant to Section 601.15 of the City Code	1672, 1727
------	---	------------

RESIDENTIAL PARKING PERMIT

1138	Amending Resolution 637/1989, Providing for a Residential parking Permit Program in portions of the West Oakland Community pursuant to Pittsburgh Code Chapter 549, so as to amending the streets included in Area "C" so as to have one block of Halket Street in Council District #6 included in Area "C"	1461, 1546
1139	Amending Resolution 994/1989, Resolution providing for the implementation of Residential Parking Permit Program (RPP) in the Shadyside Community pursuant to Pittsburgh Code Chapter 549, so as to expand the streets included in the existing Shadyside RPPP Area "J", by adding the block of Bayard Street from Devonshire Street to North Craig Street which block was inadvertently not included in the final draft of the ordinance, " so as to expand the streets included in Area "J" in Council District #6	1461, 1546

REWARD

BILL NO.	SUBJECT	PAGE
1196	Authorizing the Director of the Department of public Safety to grant a reward from the Graffiti Trust Fund in the Amount of \$500.00	1541, 1577
1197	Authorizing the Director of the Department of Public Safety to grant a reward from the Graffiti Trust Fund in the Amount of \$500.00	1541, 1577
96	Authorizing and directing the Director of Public Safety to grant a reward from the Graffiti Trust Fund	76, 147

RIVERVIEW

727	Directing the Directors of Public Works and General Services to remove the garbage bins, dirt, concrete and asphalt dumping and all other City Department dumping facilities from Riverview Park	987
-----	--	-----

RULES OF COUNCIL

1041	Supplementing the City of Pittsburgh Rules of Council by adding Rule XVII, providing procedures for the authorization of grants of federal and local taxpayer funds to non-profit organization serving the residents of the City of Pittsburgh	1355, 1465
1314	Amending the City of Pittsburgh Rules of Council, Nos. 9 and 10, by changing the Standing Committees	1684, 1762

SECURITY FIRM

690	Authorizing and directing the Controller to encumber the funds in Code Account 1801 B-5 for the purpose of engaging the services of a private security firm	929, 1070
-----	---	-----------

SEWAGE FACILITIES

1217	Adopting Official Sewage Facilities Plan revision for the Arch Court Project, located on Arch Street at the intersection of McNary Way, 22nd Ward of the City of Pittsburgh	1572, 1643
955	Adopting Official Sewage Facilities Plan for the Kirby Plan of Subdivision, located at the end of San Pedro Place, Ross Township	1231, 1305

STUDY

BILL NO.	SUBJECT	PAGE
1084	Resolution authorizing and directing the Chief, Bureau of Police and the Director, Department of Public Safety to prepare and forward an implementation and impact study concerning any proposed juvenile curfew legislation	1360, 1433
200	Directing the Finance Director to examine the feasibility of "direct pay" voluntary payment system to allow elderly residents to have Alcosan and Water Quarterly Bill deducted from their savings/checking account	174, 251
94	Directing the Director of the Department of Public Safety to conduct a study of homicide activity in the City of Pittsburgh within 10 days	75,146

TAX AND REVENUE ANTICIPATION NOTES

1299	Directing issuance of a series of Tax and Revenue Anticipation Notes, Series of 1995, in aggregate principal amount not to exceed \$25,000,000.	1670, 1725
------	---	------------

TCI

658	Approving a Transfer of Interests Affecting the Franchise of TCI of Pennsylvania, Inc. and authorizing Agreements to effectuate the City's Approval	865, 955
799	Resolution providing for the Director of the Department of General Services to file a complaint with the Federal Communications Commission challenging the reasonableness of the proposed increases in the rates of TCI of PA, Inc. for cable programming service and for installation and rental of equipment for said service	1550
799	Resolution providing for the tolling of the 30-day deadline for reviewing increases in the rates of TCI of Pennsylvania, Inc. for Basic Service, Installation and Equipment and extending the deadline to December 21, 1994.	1550
1036	Resolution providing for the Tolling of the Deadline for Reviewing the Rate Filings of TCI of Pennsylvania, Incorporated, for Basic Service, Installation and Equipment and Extending the Deadline to December 21, 1994.	1307

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
1025	\$30,000.00 - From Code Account No. 1927-9, Workers Compensation, Department of Water , to Code Account No. 1482, Miscellaneous Services, Department of Engineering and Construction	1283, 1362
105	\$12,756.00 - From Code Account 1448, Miscellaneous Services to the Community Oriented Policing Trust Fund, Department of Public Safety	91,176
1063	\$300,000.00 - From Code Account 2, Index Code 00208, Sinking Fund Bond Maturities to Code Account PZTF, Pittsburgh Zoo Trust Fund, Parks and Recreation	1358, 1465
1068	\$10,000.00 - from Code Account 42-1, Reserve for Unsettled Wages, to Code Account 1022-1, Premium Pay, Magistrates Court	1358, 1430
1100	\$30,000.00 - from Code Account 2, Sinking Fund Bond Maturities to Code Account 1482, Miscellaneous Services, Department of Engineering and Construction	1427
1106	\$4,509,000.00 - In the Aggregate amount	1428,1500
1127	\$20,000.00 - From Code Account 1400, Index Code 1400, Salaries and Wages, Bureau of Administration to Code Account 1401, Miscellaneous Services, Bureau of Administration, Department of Public Safety	1459, 1503
1134	\$90,000.00 - From Code Account 1666, Salaries and Wages, Regular Employees, Index Code 1666, Salaries and Wages, Regular Employees, to Code Account 1501, Premium Pay, Both accounts within the Department of Public Works	1460, 1503
1135	\$30,000.00 - From Code Account 1800-1, premium Pay, Index Code 180018, Department of Parks and Recreation, to Code Account 1700-1, Premium Pay, Index Code 170019, Bureau of Parks Maintenance, Department of Public Works	1460, 1503

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
1136	\$6,000.00 - From Code Account 1612-2, Equipment, Bureau of Operations, to Code Account 1728-1, premium Pay, Index Code 172-817, Bureau of Parks Maintenance, both accounts within the Department of Public Works	1460, 1503
1167	\$23,709.06 - From Code Account 1986, Materials, Department of Water to Asphalt Reimbursement Trust Fund, Department of Public Works	1497, 1575
1168	\$123,000.00 - From Code Account 1922, Miscellaneous Services, Department of Water to Code Account 51	1498, 1576
1169	\$1,397.03 - From Code Account 10, Payable Prior Years, to Code Account 1103, Miscellaneous Services, Department of City Planning	1498, 1631
1187	\$273,000.00 - From Various Code Accounts within the Department of Public Works to other various Code Accounts within the Department of Public Works	1540, 1576
1188	\$110,000.00 - From Various Code Accounts within the Department of Public Works to other various Code Accounts within the Department of Public Works	1540, 1576
1199	\$30,000.00 - From Code Account 2, Index Code 000208, Sinking Fund bond Maturities to Code Account 1482, Miscellaneous Services, Index Code 148205, Miscellaneous Services, Department of Engineering & Construction, for the purpose of entering into a professional service agreement for architectural services associated with the addition to and renovation of the Community Center at Phillips Park	1543
1213	\$250,000.00 - From Code Account PEMA to Code Account MCSTF, Emergency Operations Center, Department of Public Safety	1571, 1631
1215	\$70,000.00 - from Code Account 1443-3, Salaries and Wages, Regular Employees, Bureau of Police to Code Account 1443-6, Police In-Grade, Bureau of Police	1571, 1594

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
1216	\$300,000.00 - From the Emergency Medical Services Reimbursed Events Trust Fund, to the Emergency Medical Services Trust Fund, for the reimbursement of special event wages paid from EMSTF. Receipts from organizations for special event coverage are initially deposited in EMSRETF	1571, 1594
1241	\$12,000.00 - from Code Account Public Safety Training Academy Trust Fund, to Code Account Community Oriented Policing Trust Fund (COP)	1588, 1697
1268	\$4,509,000 - to \$4,459,000 in the aggregate amount, by amending Resolution 811/1994	1628, 1673
1295	\$8,200.00 - From Code Account 1470-9, Workers Compensation, Bureau of Fire, to Code Account 1461-3, Longevity, Bureau of Fire	1670, 1698
1298	\$250,000.00 - From Code Account 57-1, Retirement Severance Pay-Sick Leave, to Code Account 57, Social Security Fund (As Amended)	1670, 1762
1326	\$16,000.00 - from Code Account 1832, Wages, Temporary Employees to Code Account 1800, Salaries and Wages, Administration in the Department of Parks and Recreation	1696, 1763
1327	\$25,000.00 - from Code Account 1801, Miscellaneous Services to Code Account 1808-9, Worker's Compensation in the Department of Parks and Recreation	1696, 1764
1328	\$500,000.00 - From Code Account, Special Summer Food Service Program Trust to Code Account 45, Health Insurance, Municipal Employees	1691, 1764
1349	\$154,100.00 - From Code Account 1838, Miscellaneous Services, Parks & Recreation, to the following Code Accounts: \$32,000.00 to Code Account 1444, School Crossing Guards; \$117,600.00 to Code Account 1457, Uniforms and \$4,500.00 to Code Account 1452-2, Legal Defense Contribution	1718, 1765
135	\$190,000.00 - From Code account 1400-1, Premium Pay to Code Account Emergency Telephone Act Trust Fund, Bureau of Administration	130, 171

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
1350	\$13,500.00 - From Code Account 1450, Police Equipment, to Code Account 1448, Police Miscellaneous Services, Bureau of Police, Department of Public Safety	1718, 1765
1361	\$1,200.00 - From Code Account 1001-1, Miscellaneous Services, Supplies, Equipment, Etc., City Council, to Code Account 1101-2, Salaries, Wages & Services of Council, City Council	1719
1364	\$1,399,162.50 - From Code Account 45, Health/Life Insurance - Municipal Employees to Code Account 1154-1, Rental of Motorized Equipment of General Services	1720,1765,1845
1369	\$20,000.00 - From Code Account 1001-2, Salaries, Wages and Services of Council, as Needed, City Council, District 6 to Code Account 1103, Misc., Services, Department of City Planning	1720, 1846
1370	\$5,000.00 - From Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, To Code Account 1838, Miscellaneous Services, Department of Parks and Recreation	1720,1846
1401	\$425,000.00 - to Code Account 4 Health Insurance, Municipal Employees from Code Account, Special Summer Food Service Program Trust Fund, the amount of \$300,000.00 and from Code Account, Special Parks Program, the amount of \$125,000.00 in the Department of Parks and Recreation	1759,1883
1402	\$100,698.19 - to Code Account, Special Parks Programs, from Code Account, Special Summer Food Service Program Trust Fund, in the Department of Parks and Recreation	1759,1884
1410	\$1,200.00 - From Code Account 1022, Salaries, Regular Employees to Code Account 1022-1, Premium Pay, Magistrates Court	1760, 1847
1432	\$17,000.00 - From Code Account 1832, Department of Parks and Recreation, Wages - Temporary Employees to Code Account 1461-2, Bureau of Fire In-Grade Pay	1839, 1886

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
15	\$25,000.00 - From Code Account 1470-9, Worker's Compensation to Code Account 1461-1, Premium Pay, Department of Public Safety Bureau of Fire to meet Payroll	33,55
16	\$25,000.00 - From Code Account 1457-9, Worker's Compensation to Code Account 1443, Salaries and Wages, Department of Public Safety, Bureau of Police to meet Payroll	33,55
178	\$220,000.00 - From Code Account 45, Health Insurance Municipal Employees, Finance, Bureau of Compensation to Code Account 1612-4, Salt, Public Works, Bureau of Operations	171, 247
24	\$7,000.00 - From Code Acct. 1001-2 Salaries and Wages, As Needed to Code Account 1001-1, Miscellaneous Services, City Council	34,44
25	\$4,924,440.00 - From various Worker's Compensation Accounts to Code Account 44-9, Workers Compensation Medical	34, 44
26	\$39,900.00 - From Code Account 45, Health Insurance to Code Account 53, Debt Services Auditorium Authority if Pittsburgh	34,55
269	\$60,000.00 - To the Brereton Street Trust Fund, Index Code 250217	291, 349
28	\$10,000.00 - From Controllers Code Account 1046-1, Premium Pay (\$2,394.11) and 1048, Miscellaneous Services (\$7,605.88) to Code Account 1046, Salaries, Regular and Temporary Employees	35,76
314	\$654.53 - From Code Account 1545, Street Lighting, Bureau of Administration to Code Account, LFT, Liquid Fuels Tax Trust Fund	347,455

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
319	\$575,000.00 - From Code Account 10, Accounts Payable, Prior Years, to Code Account 86, Carnegie Institute, chargeable to and payable from Code Account 10, Accounts Payable Prior Years	543
374	\$243,374.00 - from Code Account 1843, Senior Citizens Program to Code Account Senior Citizens Program Trust Fund in Parks and Recreation	540,622
461	\$925,000.00 - from Code Account 45, Health Insurance, Municipal Employees to Code Account, Special Summer Food Service Program Trust Fund the amount \$800,000.00 and to Code Account, Special Parks Programs the amount of \$125,000.00 in the Department of Parks and Recreation	660, 698
496	\$6,000.00 - from Code Account 1103, Miscellaneous Services, Department of City Planning to Code Account 1838, Miscellaneous Services, Department of Parks and Recreation	694, 739
55	\$29,000.00 - From Code Account 1803 Utilities, Parks and Recreation to Code Account, Senior Citizens Program Trust Fund, Department of Parks an Recreation	52,78
56	\$70,000.00 - From Code Account 1843 Senior Citizens Program, Parks and Recreation to Code Account Senior Program Trust Fund, Parks and Recreation	52, 78
602	\$10,000.00 - from Code Account 1687, Recycling, Bureau of Environmental Services to Code Account 1728-1, Premium Pay, Bureau Parks Maintenance, both in the Public Work Department	793, 842
660	\$30,000.00 - Authorizing the transfer of funds as invoices are submitted for the purchase of asphalt, from Code Account 03-01-40-0030-94, Asphalt Repairs, Public Works to the Department of Public Works' Code Account AR, Index Code 250100, Asphalt Reimbursement Trust Fund"	951

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
680	\$81,250.00 - from Code Account 45, Health Insurance to Code Account 53, Debt Service Auditorium Authority of Pittsburgh and Allegheny County.	927, 951
682	\$1,069,772.00 - from Code Account 45, Health Insurance to Code Account 53, Debt Service Auditorium of Pittsburgh and Allegheny County	928, 989
689	\$10,000.00 - into the Department of Parks and Recreation's Miscellaneous Service Account	929, 1070
796	\$100,000.00 - from Code Account 45, Index Code 004507, health/Life Insurance-Municipal Employees to Code Account 1075 B5-2, Index Code 107508, Outside Counsel, to meet expenses of outside counsel to assist in negotiating labor contracts	1100,1177,1212
862	\$83,000.00 - From Code Account 1470-9, Index Code 147090 to Code Account 1461-3, Index Code 146131. Longevity, Bureau of Fire, Public Safety	1136
871	\$4,430,000.00 - From Code Account 1, Index Code 000109, Interest on Bonds; Code Account 004499, Workers Comp Medical Fund; Code Account 55, Index Code 005504, Policemen's Relief & Pension Fund; Code 1043, Index Code 104307, Miscellaneous Services; Code Account 45, Index Code 004507, health Insurance Municipal Employees; to Code Account 2, Index Code 00208, Sinking Fund Bond Maturities.	1138, 1183
880	\$50,000.00 - From Code Account 1687, Index Code 168708 to Code Account 1660-1, Index Code 166017, Bureau of Environmental Services, Department of Public Works and transferring \$50,000.00 from Code Account 1687, Index Code 168708, Bureau of Environmental Services, Department of Public Works to Code count 1700-1, Index Code 170019, Bureau of Parks Maintenance, Department of Public Works	1139, 1183

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
881	\$64,000.00 - From Code Account 1043, Index Code 104307, Bureau of City Information, Mayor's Office, to Code Account 1501, Index Code 150102, Bureau of Administration, Department of Public Works and Transferring \$16,000.00 from Code Account 1687, Salaries, Regular Employees, Bureau of Environmental Services, Department of Public Works to Code Account 1501, Premium Pay, Bureau of Administration, Public Works	1139, 1183
928	\$250,000.00 - From Code Account 1043, Miscellaneous Services, CIS to Code Account 44-1, Unemployment Compensation Fund	1176, 1213
965	\$373,850.00 - From Code Account 1922, Miscellaneous Services, Department of Water to Code Account 1154-1, Rental of Motorized Vehicles, Department of General Services	1232, 1249
967	\$274,712.00 - From Code Account 1977, Utilities, Department of Water, to Code Account 1132-7, Utilities, Department of General Services	1232, 1287
968	\$71,500.00 - From Code Account 1922, Miscellaneous Services, Department of Water, to Code Account 1132-5, Telephone Services and Equipment, Department of General Services	1232, 1287
969	\$19,000.00 - From Code Account 1922, Miscellaneous Services, Department of Water, to Code Account 1132-5, Radio Improvements, Department of General Services	1232, 1287
975	\$400,000.00 - URA to transfer from the Industrial Land Reserve Fund to the Neighborhood Development Program to reimburse costs incurred in connection with the acquisition of the American Lung Association buildings	1233, 1289
992	\$35,000.00 - from Code Account 1402-9, Worker's Compensation, Bureau of Administration to Code Account 1420-9, Emergency Medical Services, Department of Public Safety	1245, 1287

TRUST FUND		
BILL NO.	SUBJECT	PAGE
106	Community Oriented Policy Trust Fund, creation	91
1358	Creation of the Meadow Street Bridge Trust Fund	1719, 1863
199	Requesting that all expenditures from Cable Communications Trust Fund, exclusive of salary, premium pay be presented to Council	174
380	Youth Initiate Trust Fund, for the deposit of donations, grants and other monies from public and private sources	541
748	Creating s Special Trust fund to be Microwave Communications System Trust Fund, for the development of a microwave communications system for the City	1062, 1087
1114	Directing the City Controller to create a special trust fund, designated as the Computer Equipment and Supplies Trust Fund, for the deposit of monies from the sale of used, broke or obsolete Computer Equipment and/or Supplies and authorizing the use of monies deposited into said Trust Fund by the Department of a the Mayor	1429, 1503
1416	Directing the City Controller to create a special trust fund, to be designated as the Worker's Compensation Commutation Trust Fund for the deposit of monies received from the State of Pennsylvania for favorable decisions received in litigation and monies received when the City is successful in a lawsuit against a negligent third part	1761, 1885
579	Highland Avenue Business Improvement District Trust Account, creation of	775, 1109
657	Southside Riverfront Improvements Trust Fund	865, 958
803	Resolution providing for the creation of a trust fun entitled "Wayfinder Signage Trust Fund", to receive and from which to disburse monies in connection wit the City's Wayfinder Program.	1101, 1184

URA

681	Approving borrowing of the Urban Redevelopment Authority of Pittsburgh for the purpose of providing funds for the Busineß Reinvestment Fund; to provide a working capital loan to Pittsburgh Baseball, Inc.	928, 988, 995
-----	---	---------------

VACATIONS

BILL NO.	SUBJECT	PAGE
371	Arcola Way between Koskamp Street and Wesler Way, 24th Ward, Spring Garden Neighborhood Council, Inc.	540, 628
22	Copely Way between Idlewood avenue and Bert Way, 28th Ward	34, 79
1303	Fontella Street (Ridge-Reedsdale), Devers Way (Fontella-Sproat), Sproat Way (Ridge-S. Line Wolfendale), Sproat Way (N. Line Boyce-Reedsdale), Wolfendale Street (Sproat-W. Line Walker) and Boyce Street (E. Line Sproat Way) in the 21st Ward, 6th District	1671, 1727
372	Glen Mawr Avenue an Bostwick Street, 20th Ward, 2nd Council District	540, 628
23	Haskell Way from Penn Avenue to Mulberry Way, 6th Ward	34, 328
970	South Water Street between South Twenty-Fifth Street and South Twenty-Sixth Street, 16th Ward	1233, 1288
503	Unnamed Way from Jennie Street in a north west direction a distance of 88.26 feet, 19th Ward, 2 District	695, 780
1071	Vacating Arcola Way between Voskamp Street and Wesler Way, 24th Ward	1359, 1432, 1466
810	Vacating a portion of Dunster Street turn-a-round opposite Parcel 61-C-75, 19th Ward	1101, 1432
807	Vacating a portion of Ferncliff Avenue From Mayville Avenue heading eastwardly direction a distance of 321 feet, 19th Ward	1101, 1431
1194	Vacating a portion of George Way between Columbus Avenue and Lake Street, 21st Ward	1541, 1595
809	Vacating a portion of Inland Way between Gayly Way and LaMoine Street, 19th Ward	1101, 1431
1436	Vacating a portion of Napton Way between Brunot Avenue and Eboda Way, 10th Ward	1840, 1886
966	Vacating Carey Way from previously vacated South 30th Street a distance of 48.06 feet northwesterly, 16th Ward	1232, 1250
806	Vacating Gayly Way between Maryville Avenue and Dunster Street, 19th Ward	1101, 1431
759	Vacating Hornberger Way between Herbert Way and Dyke Street, 15th Ward	1064, 1107
760	Vacating Ozark Way between Herbert Way and Dyke Street, 15th Ward	1064, 1107
623	Vacating Stock Street between Ollie Street and Commission Way, 31st Ward	839, 953
808	Vacating Unnamed Way between Harmony Avenue and Dream Way, 19th Ward	1101, 1431
811	Vacating Dunster Street Adjacent to Parcels 60-C-92, 61-C-115 and 61-C-100, 19th Ward	1101, 1432

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
783	Akzo Company	\$36,899.26	1085, 1145
616	Allegheny County	\$1,000.00	838, 869
1165	Alloy Machining Company Inc.	\$1,108.00	1497, 1575
957	American Contractors Equip. Co.	\$912.70	1231, 1285
1248	Angelus Convalescent Center	\$949.00	1590, 1672
873	Anindya Basu	\$1,000.00	1138, 1210
1110	Ann & Michael Valenzo	\$7,500.00	1428, 1502
302	Anna L. Settnek	\$870.00	325,455
1107	August Michel	\$3,254.73	1428, 1501
725	Avis Rent A Car	\$3,443.88	987, 1086
192	Bell of Pennsylvania	\$10,000.00	173,248
59	Bell of Pennsylvania	\$1,000.00	53, 94
724	Bereksazi, Ronald D. & Anna	\$10,000.00	987, 1086
1413	Bernie Klaja	\$3,348.00	1761,1884
426	Beuhl, Lucie-Timothy Kirkston	\$3,519.44	620, 698
959	Browning-Ferris	\$9,443.70	1231, 1285
381	Carnegie Institute	\$575,000.00	543
318	Carnegie Institute	\$575,000.00	347
373	Carnegie Library	\$1,040.63	540,622
247	Clarence Lavelle, Jr.	\$7,000.00	245, 326
248	Coletta A. Smith	\$1,860.09	246, 326
278	Commonwealth of PA	\$1,929.18	293, 327
279	Commonwealth of PA	\$9,042.51	293, 327
280	Commonwealth of PA	\$24,634.73	294
289	Commonwealth of PA	\$24,634.73	327
90	Commonwealth of PA	\$1,323.76	74,135
91	Commonwealth of PA	\$31,752.00	75, 135
147	Computer Transport	\$1,000.00	132, 208
1353	Consolidated Rail Corp.	\$349.34	1718, 1845
749	Consolidated Rail Corporation	\$395.90	1063, 1106
791	Consolidated Rail Corporation	\$719.86	1099, 1177
722	Costa, Paul F.	\$1087.50	987, 1106
315	Craig & Thistle Elias	\$800.00	347, 542
1158	CSX Transportation	\$592.95	1496, 1574
1351	CSX Transportation	\$264.07	1718, 1844
952	CSX Transportation	\$4,204.01	1231, 1285
779	Daniel Mathews	\$914.87	1085, 1143
1412	Daniel Resnick	\$1,100.00	1761,1884
490	Disposable Waste Systems Inc.	\$3,393.63	694, 777
145	Donald and Colette Williams	\$780.00	132, 208
1109	Donald D. Rossetti	\$20,000.00	1428, 1502
505	Dorothy Graham	\$954.00	695, 778
489	Duquesne Light Company	\$6,843.61	693, 777
790	Duquesne Light Company	\$3,495.59	1099, 1177
1185	Edward J. Gillett	\$22,500	1540, 1593
874	Edwin Salinetto	\$2,519.36	1138, 1210
491	Equitable Gas Company	\$10,580.67	694, 778
1367	Eulicious Woods	\$15,000.00	1720, 1846
1130	Frank Embersit	\$975.00	1460, 1544
538	Frank J. Zamboni & Company	\$1,324.06	731, 794
780	Gail Monore	\$25,000.00	1085, 1144
872	Geoffrey Block	\$1,000.00	1138, 1209

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
869	Geyer Printing Company	\$22,185.00	1138, 1209
1400	Giant Eagle, Inc.	\$2,757.37	1759, 1883
148	Glickman, Stephen	\$987.14	132, 208
1324	Globe Electric Company	\$1,816.46	1696, 1763
1352	Golden Triangle Construction	\$11,505.00	1718, 1844
84	Golden Triangle Construction	\$117,391.70	73,135, 171
1245	Ground Technology, Inc.	\$7,325.78	1589, 1672
953	Ground Technology, Inc.	\$11,960.32	1231, 1285
378	Health Management, Inc.	\$1,000.00	541, 622
190	Hedding, Kathleen	\$884.35	173,248
956	Helen Germany	\$2,058.11	1231, 1285
1195	Henry F. Jodzis	\$225,000.00	1541
427	Hollids, Joel & Kelli	\$20,181.76	620, 698
540	Hollowood Music Sound	\$3,746.00	731, 794
146	Huntington Acceptance Company	\$1,333.93	132, 146
1131	James Van Steenberg	\$785.74	1460, 1544
316	Josephine Jackson	\$5,000.00	347, 542
863	Karis Contracting	\$12,270.00	1137, 1209
1128	Kim A. Bodnar	\$1,018.07	1460, 1543
317	KPMG Peat Marwick	\$8,000.00	347,697,739
317	KPMG Peat Marwick	\$8,000.00	794
27	Kulwicki, Rose Ann	\$3,850.00	35,76
379	Landand Company	\$1,000.00	541,623
188	Laurita Nelson	\$6,000.00	172, 247
617	Lawrence J. Satariano	\$8,580.74	839, 870
1024	Liebert Corporation	\$7,050.00	1283, 1361
1267	Mailing Services of Pgh., Inc.	\$13,792.40	1628, 1673
925	Marlene Maintenance Co.	\$4,355.50	1175, 1212
1108	Mary Zarainksi	\$917.00	1428, 1501
1334	Michael & Josephine Vellano	\$6,500.00	1695, 1764
244	Michael Facchiano Contracting	\$24,851.50	245, 325
492	Michael Facchiano Contracting	\$51,300.02	694, 778
1129	Michael Richard	\$890.49	1460,1543
726	Nancy & Stewart Smith	\$1,030.00	987, 1086
349	PA Historical Museum Comm.	\$20,000.00	452, 737
63	Paul D. Boas	\$1,960.00	54, 94
1166	Perkin, Elmer	\$3,950.00	1497, 1575
1325	Pete Jeffrey & Associates, Inc.	\$4,409.00	1696, 1763
54	Pgh. Sports Festival Federation	\$50,000.00	51,78
861	Pittsburgh Animal Hospital	\$4,807.62	1136, 1182
568	Pittsburgh Pro Bicycles	\$1,248.00	773, 796
112	Prof. Proctoring Services	\$18,500.00	93, 176
506	Pronto Enterprise	\$1,305.00	695, 778
304	Public Strategies	\$4,000.00	350
304	Public Strategies, Inc.	\$4,000.00	325
32	Public Strategies, Inc.	\$1,000.00	35,22,77
493	Pugliano Construction Co.	\$17,388.61	694, 778
82	Pugliano Construction Company	\$122,424.50	73,135
1411	Regina and William Lewis	\$6,250.00	1760,1884
507	Richard & Elizabeth Barron	\$9,000.00	695, 778
723	Robert and Rita Waters	\$3,800.00	987, 1086
993	Robert J. Schmidt	\$1,620.37	1245, 1288
111	Romeo, Michael A.	\$1,625.00	92, 176

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
1076	Russell Standard Corporation	\$375,000.00	1359, 1466
398	Ruth J. & Larry Hamilton	\$12,500.00	561,698
1414	Samuel J. Cordes	\$5,000.00	1761,1884
1302	Sargent Electric Company	\$100,099.03	1671, 1698
958	Sargent Electric	\$783.10	1231, 1285
191	Swartz, George A.	\$900.00	173,248
539	Sherton Hotel, Station Square	\$8,637.65	731,794
1156	St. Margaret's Hospital	\$1,192.00	1496, 1545
177	Stadium Authority	\$1,320,000.00	171, 247
954	Stadium Authority	\$500,000.00	1231, 1285
927	Stephanie Pollock	\$17,500.00	1175, 1212
1446	Stephen Joel & Ursula Feldman	\$30,000.00	1882
399	Terry, Rachelle	\$1,379.99	561, 698
58	Thomas B. Walsh	\$1,487.50	53, 94
792	Thomas F. Easton	\$4,340.00	1099, 1177
189	Thomas, Maxine	\$3,500.00	172, 247
650	Thompson Construction	\$99,856.00	864, 951
1323	Tom Cat Screen Printing	\$5,621.70	1691, 1763
951	U.S. Nuclear Regulatory Comm.	\$2,470.00	1231, 1285
1075	Walsh Equipment	\$2,910.50	1359, 1466
1009	Walter H. Drane Company	\$10,735.00	1248, 1361
903	Walter H. Drane Company	\$10,735.00	1142, 1211
504	Zionist Organization America	\$850.00	695, 778
81	Zoological Society of Pgh	\$400,000.00	73,141

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

January 3, 1994

No. 1

Municipal Record

ONE HUNDRED TWENTY-EIGHTH COUNCIL

MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
January 3, 1994

PRESENT:

Mr. Cohen
Mr. Cusick
Mr. Darkins
Mr. Ferlo
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith

Mr. Perry, Chairman Pro-tem:

This being the day and hour fixed by the act of Assembly of the Commonwealth of Pennsylvania and the Pittsburgh Home Rule Charter for the organization of the Council of the City of Pittsburgh, the One Hundred and Twenty-Eighth Council will be in order.

Before proceeding I would like to call on Mr. O'Connor and Mr. Onorato to please escort Mayor Sophie Masloff and Mayor-elect Tom Murphy into the Chamber.

Mr. Perry, Chairman Pro-tem:

Please rise for the Pledge of Allegiance to the Flag and remain standing for the Invocation.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

Mr. Perry, Chairman Pro-tem:

The Invocation will be delivered by my former administrative assistant, Father Richard Infante, Assistant Pastor of St. Joseph and Immaculate Conception Churches of Bloomfield. Father Rick was recently ordained into the priesthood and I would at this time congratulate him and wish him well.

Father Rick Infante:

Almighty and Eternal God, you have revealed your glory to all nations and peoples. God of power and might, wisdom and justice, through you authority is rightly administered, laws are enacted, and judgment is decreed. Let the light of your divine wisdom direct the deliberations of this Council and shine forth in all their proceedings and laws framed for our rule and government. May they seek to preserve peace, promote community welfare, and continue to bring us the blessings of liberty and equality. May they be enabled by your powerful protection to discharge their duties with honesty and compassion. We likewise commend to your unbounded mercy, all citizens of this Municipality, that we may be blessed in the knowledge and sanctified in the observance of your holy law. May we be preserved in union and that peace which the world cannot give, and after enjoying the blessing of this life, may we be admitted to the eternal blessings of the next. We pray to you Father, who are Lord and God, forever and ever. Amen.

Mr. Perry, Chairman Pro-tem:

The first order of business will be the presentation of the Certificates Of Election.

The Chair presents:

No. 1 - CERTIFICATE OF ELECTION
Certifying

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Election held on the second day of November, 1993, in said County.

DAN COHEN

was duly elected to the office of

Member of Council
Four Year Term

City of Pittsburgh - District 8

in the County of Allegheny,
Commonwealth of Pennsylvania.

Witness our hands and seal this
twenty-seventh second day of
November, 1993.

Tom Foerster, Chairman
Pete Flaherty
Lawrence W. Dunn

Board of Elections
Ex Officio, The Return Board of
Allegheny County

Also,

No. 2 - CERTIFICATE OF ELECTION
Certifying

We, the undersigned, constituting
the Return Board of the County of
Allegheny do hereby certify that
at the Election held on the second
day of November, 1993, in said
County.

JOE CUSICK

was duly elected to the office of

Member of Council
Four Year Term

City of Pittsburgh - District 4

in the County of Allegheny,
Commonwealth of Pennsylvania.

Witness our hands and seal this
twenty-second day of November,
1993.

Tom Foerster, Chairman
Pete Flaherty
Lawrence W. Dunn

Board of Elections
Ex Officio, The Return Board of
Allegheny County

Also,

No. 3 - CERTIFICATE OF ELECTION
Certifying

We, the undersigned, constituting
the Return Board of the County of
Allegheny do hereby certify that
at the Election held on the second
day of November, 1993, in said
County.

ALAN HERTZBERG

was duly elected to the office of

Member of Council
Four Year Term

City of Pittsburgh - District 2

in the County of Allegheny,
Commonwealth of Pennsylvania.

Witness our hands and seal this
twenty-second day of November,
1993.

Tom Foerster, Chairman
Pete Flaherty
Lawrence W. Dunn

Board of Elections
Ex Officio, The Return Board of
Allegheny County

Also,

No. 4 - CERTIFICATE OF ELECTION
Certifying

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Election held on the second day of November, 1993, in said County.

CHRISTOPHER A. SMITH

was duly elected to the office of

Member of Council
Four Year Term

City of Pittsburgh - District 6
in the County of Allegheny,
Commonwealth of Pennsylvania.

Witness our hands and seal this
twenty-second day of November,
1993.

Tom Foerster, Chairman
Pete Flaherty
Lawrence W. Dunn

Board of Elections
Ex Officio, The Return Board of
Allegheny County

Mr. Perry, Chairman Pro-tem:

We are honored to have with us this morning the Honorable Ron Folino, Judge, Court of Common Pleas, who will administer the Oath Of Office to Dan Cohen.

Mr. Cohen:

I, Dan Cohen, do solemnly swear that I will support the Constitution of the United States and of this State and the Charter of this City and that I will faithfully discharge the duties of Office to the best of my ability.

Mr. Perry, Chairman Pro-tem:

We are also honored to have with us this morning the Honorable Michael F. Coyne, Prothonotary of Allegheny County, who will administer the Oath Of Office to Joe Cusick.

Mr. Cusick:

Rita, and the kids, would you come up please.

I, Joe Cusick, do solemnly swear that I will support the Constitution of the United States and of this State and the Charter of this City and that I will faithfully discharge the duties of Office to the best of my ability.

Mr. Perry, Chairman Pro-tem:

Also, we have with us the Honorable Dan Diven, District Justice of the 20th Ward of the City Of Pittsburgh, who will administer the Oath Of Office to Alan Hertzberg.

Mr. Hertzberg:

I, Alan Hertzberg, do solemnly swear that I will support the Constitution of the United States and of this State and the Charter of this City and that I will faithfully discharge the duties of Office to the best of my ability.

Mr. Perry, Chairman Pro-tem:

Also, we have with us the Honorable Henry R. Smith, Judge, Court of Common Pleas, who will administer the Oath Of Office to Christopher A. Smith.

Mr. Smith:

I, Christopher A. Smith, do solemnly swear that I will support the Constitution of the United

States and of this State and the Charter of this City and that I will faithfully discharge the duties of Office to the best of my ability.

Mr. Perry, Chairman Pro-tem:

Being that the newly elected and re-elected Members Of Council have been duly Sworn-in, the Clerk will call the roll.

PRESENT:

Mr. Cohen
Mr. Cusick
Mr. Darkins
Mr. Ferlo
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith

Mr. Perry, Chairman Pro-tem:

The next order of business is the Nomination and Election of the President Of Council. What is your pleasure?

Mr. Cusick:

Ladies and gentlemen, distinguished colleagues, I am pleased to offer into nomination for the Office of Council President, the representative from District 7, Councilman Jim Ferlo. Mr. Ferlo, who is the most senior Member of Council, was initially elected a City-wide election and has since overwhelmingly won two district elections. Jim has a distinguished and impressive legislative record and I believe he is the best person for the Office.

Mr. Perry, Chairman Pro-tem:

Mr. Ferlo has been nominated. Any other nominations? Any more nominations? Any more nominations?

May I have a motion to close the nominations.

Mr. Smith:
So moved.

Mr. Onorato seconded the motion.

WHICH MOTION PREVAILED.

Mr. Perry, Chairman Pro-tem:

The clerk will call the roll on the election of Jim Ferlo as President of the Council of the City of Pittsburgh.

Mr. Cohen:
Mr. Ferlo

Mr. Cusick:
Mr. Ferlo

Mr. Darkins:
Mr. Ferlo

Mr. Hertzberg:
Mr. Ferlo

Mr. O'Connor:
Mr. Ferlo

Mr. Onorato:
Mr. Ferlo

Mr. Ricciardi:
Abstain

Mr. Smith:
Mr. Ferlo

AYES: 8 NOES: NONE
ABSTAIN: 1

Mr. Perry, Chairman Pro-tem:

Mr. Ferlo has been elected.

The Honorable John Mackin will administer the Oath of Office to the President of Council.

Mr. Ferlo:

I, Jim Ferlo, do solemnly swear that I will support the Constitution of the United States and of this State and the Charter of the City of Pittsburgh, and that I will faithfully discharge the duties of my Office to the best of my ability.

Judge Mackin:

Congratulations, Mr. President.

Mr. Perry:

Members of Council, Ladies And Gentlemen, may I present to you, Jim Ferlo, the President of the Council of the City of Pittsburgh.

Mr. Ferlo, Chairman:

To my friends and supporters, and to all of my colleagues on City Council, I just want to thank all of you, and everybody in this room. The road to the Council Presidency is often a rocky road, and no one should be fooled by that, and I just want to thank Councilman O'Connor for his cooperation in this election, and I want to thank all of my colleagues on this Council, and I want to especially thank a lot of people who felt very strongly about the issue and voiced their opinions respectively to my colleagues.

I want to go on from here now with some harmony on this Council. It's an exciting day today and I think the excitement should be centered around two things. I think the excitement should be centered around the tremendous victories that my colleagues have won, both in the re-election to City Council, as well as their overwhelming election to Council, especially our new Council Members. I also think it's a day that we recognize that we have some fundamental changes in City Hall, and it's an exciting day for Tom Murphy and his family, and I look forward, and I think all of this Council looks forward, to an exciting level of cooperation as Tom Murphy meets the challenges that are necessary to carry on the issues that are confronting us here in the City of Pittsburgh, and I don't think anybody can do that better than the Honorable Tom Murphy.

At this time I would like to call on the respective Council Members, both newly re-elected and newly elected, for their presentation to their friends and families and supporters. At this time, by Council District, I would like to represent somebody who has served well in the position of Council Finance Chair. He was handily and overwhelmingly re-elected from Council District 8, and that is the Honorable Councilman Dan Cohen.

Mr. Cohen:

Good Morning, everyone. Father Rick, Judge Folino, other members of the Judiciary who are here today, and members of the Clergy who are here today, soon-to-be Mayor Tom Murphy, my colleagues on Council, family and

friends. I would first like to congratulate Jim Ferlo on his election as Council President. I look forward to working with him in his new position and also to working with our new colleagues on Council, Mr. Joe Cusick and Mr. Alan Hertzberg.

I want to personally thank Mayor Masloff for her years of dedicated service to this City.

As for our new Mayor, Tom Murphy, today is your day. You earned it through sheer energy and commitment to Pittsburgh--by knocking on thousands of doors in every neighborhood, and sharing your vision of Pittsburgh's future. You never took anyone for granted Tom. Even when it was clear that your election was assured, you were out there fighting to enlist every Pittsburgher in your crusade. That is why today you can celebrate not just an election, but a mandate, and I know that you will use it well.

I am truly honored to be able to accept this oath of office for a second term on Pittsburgh City Council. I want to thank the many people who helped make this day possible. Many are here today. You are too numerous to mention, but too special to ever forget. My most loyal supporters: my wife Stacy, who by the way is pregnant with our first child, my parents Hannah and Norman Cohen, my mother and father-in-law Jerry and Lois Browdie, who came in from Greensburgh, are also here today.

I especially want to thank my grandmother, Ida Mintz. My grandmother moved to Pittsburgh a half century ago. She has always been involved in her neighborhood,

in her community, in Pittsburgh. As I take office today, I am proud to say that she is and has always been an inspiration. In three weeks, Grandma will be celebrating her 90th Birthday! So Grandma, I want to thank you and wish you a happy birthday.

Most important, I want to thank the citizens of Bloomfield, Friendship, North Oakland, Point Breeze, Shadyside and Squirrel Hill for electing me to this second term. It is wonderful being elected the first time. But being re-elected on the basis of a record is a vote of confidence and is even better. I am also honored that three of the Ward Chairs from Council District 8 are here today, Mr. Auggie Carlino, Bonnie Booth, and Eric Marchfein, and I want to thank them very much.

During the past four years, we have worked hard to improve the City of Pittsburgh and to confront our problems. This is a great City. I am absolutely convinced that this is the best place to live in the United States, but we can make it even better.

We are in the midst of a crime wave that threatens to undermine our very way of life. Since 1990, the homicide rate in this City has more than doubled and homicides with firearms have tripled. For the first time, Pittsburghers don't necessarily feel safe on the streets or even in their homes.

We have to send a clear message to those who are creating this climate of violence. We are going to strengthen law enforcement. We are not going to live in fear. We are not going to lose that sense of safety and security that has always been the hallmark of life in Pittsburgh.

But, of course, people are entitled to more than just physical security. They are also entitled to make a living, and a good living. Young people, in particular, say that their biggest concern right now is finding a good job.

But here too there are problems. America may be in the midst of an economic recovery--but Pittsburgh is not.

Since 1980, our job base has fallen faster than any other of the 25 largest cities in the nation. Last year, for the first time in a decade, we suffered a net loss in jobs. Young people who desperately want to stay in Pittsburgh--near their parents and grandparents--are being forced to leave because they cannot find a good job. They come home to Pittsburgh for the holidays, but then they leave and our lives are poorer because of it. This can't continue.

On crime, on jobs, the old solutions have not worked. We must try new solutions and we have to pursue them with greater urgency.

I know that we can do it, and the reason I know is that we've done it before. There is no other city in America that has remade itself the way Pittsburgh has. Pittsburgh didn't become a great City by accident. Our parents and our grandparents made it great through Renaissance I and Renaissance II. We know from experience that there is no limit to what the people of this City can accomplish. Pittsburghers have an inner strength and a tenacity that no other city in America can match. Do we have problems? Yes, we have problems.

But none of these problems is bigger than the people of Pittsburgh. With aggressive leadership, we can make this City, this great City, even greater, so together, let's fight for Pittsburgh.

The Chair:

Ladies and gentlemen, it's a great honor that I introduce a good friend of mine. I see Mr. and Mrs. Cusick out there. I'm sort of the unofficial member of that family. At this time I'd like to introduce a dear friend and a hard worker, the Honorable Joseph Cusick.

Mr. Cusick:

Good morning! Before I bring my brief address to you, I would like to thank my many supporters and friends without whose help I would not be here today. I would also like to introduce my family members in the audience, my mother, my father, Bernard and Kathleen Cusick, my wife, Rita, and most important, two important things in my world, John and Katie, my mother-in-law, Kathleen Watson, all of my brothers and sister and I'd tell you every one of their names and their wives names, but we don't have that much time. I thank you. I couldn't have done it without you.

It is with a deep sense of humility that I stand in front of you today. It is also with a great deal of excitement that I look forward to serving as the Councilman of the City of Pittsburgh in District 4. It is an opportunity that few people are given, and I will do my very best to represent my district with responsibility, energy and hard work.

Growing up in my family, I was introduced at a young age to responsibilities that each of us have to society. My grandfather, Regis Cusick, the son of Irish immigrants, was very active in City and County government, and was a close associate of Allegheny County Commissioner John Kane. His willingness to work for the betterment of his community had a lasting influence on my father, Bernie, who spent many years working in local union politics with the Ironworkers to improve the lives and working conditions of his fellow workers. Much through their efforts I was taught that public service is a proud and lively career, one in which an individual can have a real influence on his or her community.

With this opportunity, also comes a great deal of responsibility. The responsibility to maintain the highest standards of ethical conduct in carrying out the public's business. The responsibility to listen to all sides of all sides of an issue and then to make the best judgment based on the facts presented. The responsibility to put politics aside when needed, to make a decision which may not be popular with everyone. For we must remember that the basis of effective government is public confidence, and that confidence is endangered when elected officials refuse or falter in the acceptance of their responsibility.

It is also with a great deal of excitement that I look forward to serving with a new Council. The challenges which face our City in the years to come are great, but I really cannot think of a

finer group of people to do that with. It will be an honor and a privilege to serve with each and every one of you.

Likewise, I look forward to working with the new Administration of Mayor Elect Tom Murphy. The City of Pittsburgh is now presented with a great opportunity. I truly believe that a Council and an Administration working together can mean great possibilities for our City. This is not to say that Council should be a "Yes Man" for the Administration. Because I recognize the value of dissent, and I believe that healthy controversy leads to a healthy change. But I also have witnessed first hand through my four years of service on the U.S. Naval Aircraft Carrier Enterprise, that through teamwork the most is accomplished.

With a new atmosphere of cooperation, City and County governments must work together to guarantee a brighter future for our City and Region. I have had the opportunity to work for both City and County government. I have witnessed how working together we can achieve much more for our citizens. The recently enacted Regional Assets Bill is the first example of our working together for the common good. In the future, many issues need to be taken on jointly. Issues such as riverboat gambling, development of our riverfronts and public safety need to be met head on so that our City and Region is a better place to live.

Finally, I call on the citizens of Pittsburgh for their cooperation and help. To strengthen our economy, our efforts toward increased public

safety and our image around the nation. we all need to be involved in our community. The efforts of the private citizen working along with local government will surely guarantee our success in days to come.

Thank you.

The Chair:

Ladies and gentlemen, I am very honored to introduce my next colleague. He is somebody, quite frankly, who won a campaign the old fashioned way - door to door, person to person, in the trenches. He's a hard worker. He's distinguished himself in his communities, especially working with young people. I am very proud and very honored to introduce the new Councilman from District 2, the Honorable Alan Hertzberg.

Mr. Hertzberg:

Good morning! I want to begin by introducing some people and also thanking some people, and I want to start where that begins and that's with my wife Karen Guzzo Hertzberg. Karen worked as hard as I did to make this all possible. My children have put up with a lot, with me working extensive hours and being away from them, and I thank them and my wife for being by my side throughout this. I'd like to introduce my parents, Martin and Ruth Hertzberg, and thank them. My parents both hold Ph.D. Degrees and they're both college professors right now and they were invaluable assistants in getting me here also. I'm one of a family of five, unfortunately I don't see any of my siblings here today. My brother Eric was scheduled to be here; he lives down the street

from me in Good Will Plaza. He is confined to a wheelchair and must be having difficulty with the transportation here. I'm the third of five children. My oldest brother Larry is up in New York City. He's an M.D. and a Pathologist up there. My brother Eric, who I thought would be here, is next, then myself, then my younger brother Russell is out in California right now where he is directing a computer company, and the youngest in our family, my sister Coralyn who is also an M.D. and Psychiatrist, and she's in the State of Washington, so none of them could be here right now. I'd also like to thank my wife's family, and they were of great assistance. My father-in-law is here, Salvy Guzzo, flowers by Salvy and Tom, thanks for the flowers. And also, from the other side of my wife's family, the Brandy's, and I hope the Brandy's will continue to multiply within Council District 2. They were a big help. And I'd also like to thank and introduce my staff, I'm not sure they're in here, but they are Ralph Rectenwald, Jolene Edwards, Flo Dickson and Caroline Kawl, will be my staff here on City Council. I'd also like to thank the people that I've worked with before today, and that is the people in my law firm, Alan Hertzberg and Associates and Priority Settlement Services, a settlement company that I'm with. And I'd like to thank most of all, all the supporters that got me here, and that includes all the Committee People, that includes the Ward Chairman, City Chairman Sam Tiglio from the 20th Ward, 28th Ward Chairman Lefty Behr, it includes the Chairman of my campaign committee, Daniel Dixon, thank you Dan. I thank the people from the bottom to the top cause we did every little thing that

could be done, from telephone calling to door knocking with me putting up signs. I had some great help!

What can you expect from me on Council? You can expect brevity. I generally try to say what I can in as few words as possible, except for today, I'm going to be a little longer today, so bear with me. I think you can expect professionalism. I believe in being courteous and I'm going to endeavor to be courteous to people that come before Council, as well as fellow Members of Council. I'm going to endeavor to avoid personal attacks. You can also expect honesty from me. You can expect hard work. You can expect me to be attentive to the problems of City Council District 2. I will be out there trying to solve our problems. But you can also expect me to be attentive to the problems of the entire City.

We've had a problem lately. It seems like we're losing quite a few of our residents, and that occupies a high priority with me and it's something I've spoken about quite a bit before I got here. I think we need to send a message out that City living is the most affordable living in the Pittsburgh area. We also need to get the message out to the businesses that are here and the businesses that we hope to attract that this is a good place to do. And I'm looking forward very much to working with the Administration of Tom Murphy. I think we share a lot in our interests in trying to get business in here and to keep the businesses we have.

Finally, you can expect independence from me. Although I want to hear what everyone has to say, the ultimate decisions on the

votes and whatever matters come before me, will be made by me.

Mayor Murphy, President Ferlo, Controller Flaherty, Councilperson Cohen, Councilperson Cusick, Councilperson Darkins, Councilperson O'Connor, Councilperson Onorato, Councilperson Ricciardi and Councilperson Smith, I am looking forward very much to working with all of you over the next four years to make Pittsburgh a better place to live, work and play. And I thank you.

The Chair:

Now you know how he won that election.

I am very honored at this time to introduce another friend, probably for at least ten years, but I have actually been friends with his dad even longer than that, back to the early days of model cities and Community Action Pittsburgh. That's when I was lighter and didn't have any gray hair. I am very honored at this time to introduce someone who has distinguished himself, not only in the community, but certainly on this Council, and that is the re-elected Council Member from District 6 - the Honorable Christopher Smith.

Mr. Smith:

Good Morning everyone!

I wrote mine down so that I would make sure that I was short.

First of all, I am very proud to serve with such a distinguished group of individuals. Five of us share the Young Democrats in common and I have served with both

of our new incoming Council Persons, so there's a number of years that we have known one another, and I look forward to working with you.

I'd like to thank you to the esteemed Judiciary hiding behinds the plants, to the Clergy, the Mayor and now my new fellow elected officials, and especially those persons who placed their faith, efforts and loyal support to my candidacy that permits me to begin my second term on Pittsburgh City Council representing District 6.

We have many people who helped us get here. I would like to thank especially my parents who never wavered in their support, who gave not only their money and time but the encouragement and spirit to continue against all odds to bring fairness and justice to municipal government. I wish to thank the campaign workers who never said no. Their continuous commitment made this possible, and to you and each and every one who wrote a check, who made a phone call, who talked about me positively. I say thank you, and especially to each and every voter who has entrusted in me to represent them on this Council.

This marks the moment that moves government in a new direction. This Council now reflects the community activists' rise to power - the empowerment of the people, neighborhood by neighborhood, district by district. We start a tough journey into the next century. We must address the crime in the streets, drugs and unemployment. We are charged by the voters to come up with new and innovative solutions.

The new Administration coming into office has pledged to work on these most pressing issues, but I challenge my colleagues to balance the good of the many against the good of the few, to be willing to stand up for what is right and moral. We should not be the land where anyone lives in the streets, is hungry or must live in fear. This is America - the land of opportunity. We must provide these opportunities; that is the role of government. Our role is to be the catalyst to everyone's dreams, to try the untried, to support our youth, to bring back the opportunities that made the struggle of achievement fruitful. Hope is not lost, it's just hiding from the multitudes. We in government must uncover this hope, encourage its growth and change the course of our City and its young people.

Finally, I challenge each and every citizen in this City to cease complaining, because if you are not part of the solution, you are part of the problem. It is this example that will serve to guide our young, house the homeless, employ the unemployable and again make the City of Pittsburgh the most livable City in this great Nation.

I thank each and every one of you for your support and I look forward to serving you. Thank you.

The Chair:

Ladies and gentlemen, as you know there are eleven elected officials in the City of Pittsburgh, - nine Council Members and our distinguished Mayor, but we also have another distinguished gentlemen, and that is the City Controller, the Honorable Tom

Flaherty, and I'd like him to stand and just be recognized.

Because of Tom's inauguration event which is going to be held very shortly, time does not permit me at this time to go through the audience and list a lot of very important people. Sufficed to say, all of my colleagues here today are very honored that many elected officials from Congress to the State Legislature to all up and down Grant Street and Ross Street at the County level, as well as members of the Judiciary, are here today. On behalf of my colleagues, I'd like to thank all of you for taking the time out of this very special day, not only for the new colleagues but for their family, friends and supporters.

Before I introduce my next speaker, I want one personal moment of reflection and that is there is one very special person that could not be here today and quite frankly, that's my mother. She doesn't live in the City of Pittsburgh and she's 82 years old. She raised ten children; I happen to be one of them, and as you know, they're all as difficult as I was, and I am, so that's not an easy task. Her name is Isabella Delorata Spadafore Ferlo, and she's not here today but I want to say hello to her and maybe we'll send her the tape. So mom, thank you.

At this time it's a profound privilege, and I mean that very sincerely, not only to introduce a friend and a future colleague, but to introduce the gentlemen who is going to lead this City into the next century, and that's the Honorable Mayor Tom Murphy.

Mr. Murphy:

Thank you. I first want to honor all of you, not only those newly elected and elected officials, but all of you in the audience. You chose to participate.

My wife and I had an opportunity to live in a country that didn't have democracy; it had a military dictatorship. And I say first hand what it means for people when they don't have the power to vote. You chose to participate, you supported a candidate, and you are here today probably because your candidate won, and so you can congratulate yourselves. I'm here to say thank you for participating.

Now tonight, as I look out the window, it seems to me that we are going to have our first test. If the streets aren't cleaned and salted, we're in trouble, aren't we all. But, beyond salting the streets, and making sure the trash is picked up on time, and certainly if we don't do that, we won't be back here, there's a bigger issue facing us. We're in the fight of our lives. We're in a global economy. There are regions of this country and this world that are our competitors, and they understand one thing that we haven't understood very well - that if you don't work together you are going to fall. You won't succeed.

Look at the litany over the last few years. City Council is suing the Mayor, and the Mayor is suing City Council. The County and the City is suing each other. The Pirates and the City suing each other, that has to stop.

This is about competing internationally. This is about moving forward together as a region. We can do it, but we, us ten and eleven, have to begin to do that first to send the signal. I'm prepared to go more than 50% of the way, to build the kind of relationship that creates the respect and the confidence that we can move forward together. And then, shortly we need to reach out. We need to involve my good friend, Frank Gigliotti, and the other Legislators and Senators in this region, to be part of a team and a plan and a vision that shapes this region's future. We need to involve Bruno Delano and the other union leaders to be part of an unprecedented effort to build a labor-management climate that will go from being viewed as one of the worst to one of the best in the country, and we can do it. It's like a jigsaw puzzle on the table; the pieces are all there. It's a day to celebrate, and tomorrow is a day to begin. You made a big step today by being able to agree on a President of Council. I think that demonstrated great leadership on all of your parts, and in doing that I think we've taken a first step in beginning to build the confidence we need to move this region forward. I look forward to working with all of you.

The Chair:

Thank you, Thomas.

At this time, the Chair wishes to announce the appointment of the Chairman of the various Standing Committees of Council as follows:

If you would just permit me a sentence or two about each. First of all, a very important Committee

because it's a Committee that meets as much as the Legislative Committee and that's the Standing Committee of this body, we meet around that table and that's usually where you see the news flashes everyday, cause that's where it gets hot and heavy sometimes because people are passionate about the issues. Councilman Cohen, in the past, has done an admirable job in that position, but apparently he's going to be very busy this spring.

I'm very pleased at this time to appoint a friend and a colleague and somebody I know who has the skills and leadership to keep the kind of vision that Tom Murphy has talked about, and that's Councilman Dan Onorato to head up the Committee on Finance.

I would also like to introduce a gentleman who is up at 5:00 A.M. in the morning and probably unlike any of us even on this Council or maybe even in the audience except for those out in the field, this gentleman is up early in the morning. And it's not Atypical to see this gentleman having coffee or bringing donuts to City workers, and usually that's in the Department of Public Works and Environmental Services. He's somebody who has distinguished himself at the grassroots level. He is a hard worker. I want to renew my friendship after today with this gentleman, and I hope I am able to do that. I think we can. And that gentlemen is Councilman Duane Darkins to head up the Public Works Committee. And I just want to say that there are many people in Public Works over the last few years that have gone to Duane because they were in the jackpot, they were being treated unfairly, and Duane really came through and I respect him for that.

Another very important Committee, and our Mayor Tom Murphy will be making an announcement in the next few days about a very important position over at the Urban Redevelopment Authority Board. But this is a gentleman who has distinguished himself in even the brief time that he has been on this Council. He's hard working. I feel he is the most articulate Member on this City Council. He knows the Zoning Code, he knows about planning, and he knows about development. I'd like to appoint Councilman Christopher Smith to serve as the Chairman of Planning, Housing & Development.

The Chair:

The next gentleman has distinguished himself on this Council with a no-nonsense business view. He's somebody that brings a lot of life experience, and quite frankly, professional and business experience, to this Legislative body.

People think about the Finance Chair and all these other Committees, and not everybody is really that aware of the operations of City government. But the fact of the matter is, there's one Committee called the Committee on General Services, that if you want to get all the money spent, be it lands and buildings, rents, fleet management, the operation utility bill, procurement, all of the contracts that are administered by every single department, the actual money goes to the Committee on General Services.

I can think of no one better than Councilman Bob O'Connor to head up that Committee and give us new direction. We have precious

few city dollars but I am confident that Councilman Bob O'Connor will give this Committee a new sense of direction with Mayor Murphy's leadership.

The Chair:

The next gentleman is a dear friend. He's somebody who has been, as far as I am concerned, the consumer advocate on the Board of the Water and Sewer Authority. He is somebody who has made some fundamental proposals to the Murphy Administration about the whole water treatment system in this City and I think those ideas are going to be taking hold very shortly. We need him on this Committee, not only to remain on the Board of the Water and Sewer Authority to defend the interests of business and the consumers of this City, but we need him to Chair the Committee on Water here in City government because of the fundamental changes that he has talked about--and that's my friend, Councilman Gene Ricciardi, to head up this Committee.

The Chair:

I think you sensed from this gentleman's speech earlier how hard-working he is. I first met him because he was going to bat for the last few years for a youth center in an area of the City, Sheraden, that quite frankly has been under served by City government, and I know he is going to change all that. I think he can distinguish himself and bring a lot of expertise and leadership to something that is affecting the most important group of people in this City, and that is our youth and our young people. We need him. We need his ideas, we need his energy, we need his vision, and we need his cooperation, and I

know we have it--and that's Councilman Alan Hertzberg to head up the Committee on Parks and Recreation.

The Chair:

As I mentioned earlier, having me at the other end of the table when Councilman Cohen is trying to Chair the meeting is not always an easy thing, because every one of my colleagues is passionate about the issues. That's what makes City government what it is. He's done one heck of a job chairing for the last year and a half the Committee on Finance. He's going to be busy this spring. I've asked him, though, to take on what I feel is actually a more difficult assignment, and that is the area of Public Safety. I think everybody in this room knows that we are going through a crisis in this City. We have carnage on the streets of this City. Tom Murphy has some vision and some very bold initiatives that he will be talking about in the next hour. I've specifically asked, though, that Councilman Dan Cohen come forward and Chair the Committee the Public Safety at this time.

The Chair:

The Committee on Engineering & Construction, that basically means building and getting the job done. This is a gentleman that comes from a family of builders, or ironworkers. He's somebody I know who has strong ties with the building and construction trades and he's a working class hero as far as I am concerned. And at this time, I want to appoint somebody that I know has the expertise, the ability to work in a new fashion with labor and assist Tom Murphy in the kinds of

visions that he's talked about earlier. I badly need him and I'm glad that Joe has accepted the appointment of Engineering and Construction--and that's Councilman Joe Cusick.

The Chair:

As President of Council, I will continue to Chair the Committee on the various public hearings that come before this Legislative Body. I'm also very pleased, and I haven't necessarily talked to each and every one of these individuals, but I am confident that they will accept. Part of the responsibility, also here today, is the appointment of Council Members to the Board of Trustees of the Carnegie Institute and the Library, including the beautiful new Carnegie Science Center. We've gone through the last few years on this Council struggling at the final hour of adopting a City budget under the leadership of these gentlemen to restore funding for the Library and the Institute, and they've come through solidly each time. At this time I would very privileged and honored if the four Council Members, Councilman Gene Ricciardi, Councilman Christopher Smith, Councilman Alan Hertzberg and Councilman Dan Onorato, would either join the Board or continue to serve in those capacities with the most important Institute that we have in this City, our Library system, and I want to thank them.

I want to ask a special favor of my colleagues today and rather than throw this open I want to ask that this Body give consideration, and I would ask that a motion be made to consider a gentleman whose been in this Post, and I would ask consideration for the re-appointment and re-election of

the nomination of Councilman Duane
Adrian Darkins to be President
Pro-Tem of this Legislative Body.

Mr. Ricciardi:

So moved.

Mr. Cusick:

Second.

The Chair:

At this time, I'd like to call
the question. I'd like to ask for
a vote of unanimity.

AYES:

Mr. Cohen
Mr. Cusick
Mr. Darkins
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

NOES:

AYES: 9 NOES: None

The Chair:

Thank you very much.
Councilman Darkins, thank you for
accepting this leadership role.

At this time I would like to
entertain a motion that the rules
of the proceedings of Council be
adopted as the Rules of this
Council.

Mr. Smith:

So moved.

Mr. Onorato:

Second.

The Chair:

It's been moved and seconded.
All in favor. It is unanimous.
Thank you very much.

The Chair:

We Are Honored This Morning To
Have With Us Father Jerome Burns,
Episcopal Priest Of The Church Of
The Holy Cross, Who Will Offer
Benediction.

Father Jerome Burns:

Let us pray. Grant us, oh
God, a vision of this City that it
might be in fulfillment of thy
divine purpose, a City of justice,
for none should prey upon others;
a City of plenty for greed and
poverty should be daunt away; a
City of brotherhood and
sisterhood, for success is founded
upon service; a City of peace
where order should not rest upon
force but upon love for one
another. God we pray to all those
for whom thou has committed the
government of this City, and grant
to them at this time special gifts
of wisdom and understanding of
counsel and strength, that
upholding what is right and
following what is true, they may
obey thy will and fulfill thy
divine purposes. All this we ask
in your name. Amen.

The Chair:

Ladies and gentlemen, I would
like to at this time on behalf of
all of my colleagues, thank all of
the friends and supporters and
family members for making this day
very special for those
colleagues.

With that, I would like to now
entertain a motion to adjourn this
meeting.

Mr. Hertzberg:

So moved.

And on the motion of Mr.Hertzberg

Council Adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

January 11, 1994

No. 2

Municipal Record

ONE HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
January 11, 1994

PRESENT:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

ABSENT:

Mr. Darkins

The Chair:

Please rise for the Pledge of Allegiance to the Flag and remain standing for a moment of silent prayer.

At this time, I would like to initiate a tradition. We are very honored here today, we have a young student, a fourth grader from St. Catherine's of Sienna in Beechview. His name is Patrick Chakowski. We'd like him to come forward and lead us in the Pledge of Allegiance. He's from Councilman Cusick's District.

Patrick Chakowski:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Patrick is the son of Joe and Nina Chakowski and they are in the audience and we appreciate them taking time to come down here today.

I also wanted to reflect that our moment of silence was also in recognition of a Firefighter, Glenn Terry, who as you know suffered a tragic death while on duty. No one is promised tomorrow, and our condolences go out to the family, his wife and four children. And again, we wanted to pay special recognition to Firefighter Glenn Terry and his family.

PRESENTATIONS:

Mr. Darkins presents:

Bill No.5 - WHEREAS, the George Washington Carver Luncheon is an event designed to highlight the accomplishments and contributions of George Washington Carver; and

WHEREAS, George Washington Carver was an internationally known scientist, inventor, sculptor, musician and humanitarian; and

WHEREAS, the George Washington Carver Luncheon is sponsored by the local chapter of the National George Washington Carver Commemorative Day Association; and

WHEREAS, the Association wishes to extend to those in the community a greater sense of commitment, love and appreciation for the creative nature in all of us; and

WHEREAS, George Washington Carver Week will be observed on January 7 through the 11th in the City of Pittsburgh; and

WHEREAS, the proceeds from this gala event will go to provide greater opportunities for underprivileged children through the efforts of Camp Achievement.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the outstanding achievements of George Washington Carver and furthermore salutes Camp Achievement for its years of dedication to development of young people throughout the City of Pittsburgh.

On the motion of Mr. Smith, the Resolution was adopted.

Mr. Darkins and Mr. Smith Present:

Bill No. 6 - WHEREAS, January 15, 1994 marks the 65th birthday of slain civil rights leader and Nobel Peace Prize recipient, Dr. Martin Luther King, Jr.; and

WHEREAS, on Sunday, January 16, 1994, Greater Faith Tabernacle Church of God In Christ dedicates its 11:00 a.m. service to Dr. King, Jr., paying tribute to a man who inspired and sustained the struggle for freedom, nonviolence, interracial brotherhood and equal rights; and

WHEREAS, on January 16, 1994, Greater Faith Tabernacle C.O.G.I.C also recognizes men and women whose attitude and actions contribute to making Dr. King's dream a reality that "one day this nation will rise up and live out the true meaning of its creed-that all men are created equal"; and

WHEREAS, the honoree's are: Louise Brennan, Superintendent, Pittsburgh Public Schools, (Speaker); James Henry, Executive Director of Hill House; Donald G. Block, Executive Director of Greater Pittsburgh Literacy Council; Marlene Szary, Executive Director of Girl Scouts of Southwestern Pennsylvania; William Thompkins, Executive Director of Urban Youth Action; Chester Lee, Executive Director of Penn Hills Multi Purpose Center; Nate Smith, Executive Director of Operation Dig and New Careers; John Zottola, Judge, Court of Common Pleas; Robert L. Pitts, Former Mayor, Borough of Wilkinsburg, Pennsylvania; Tim Stevens, Executive Director of B-Pep; William Hugley, Executive Director of American Red Cross Pittsburgh & Allegheny Chapter; Dr. Joseph

Brennan, Director of Duquesne University Reading Clinic; Arthur Gilkes, Allegheny County Deputy Coroner; Viola Fears, St. Francis School of Nursing; Congressman William Coyne; Malik Bankston, Vice President of Abraxas Group, Inc.; Peggy Harris, former owner of Phoenix Hill Shopping Center; and Thelma Campbell, past President of Silver Lake Community Civic Association.

NOW, THEREFORE, BE IT RESOLVED, THAT THE COUNCIL OF THE CITY OF PITTSBURGH, joins with Greater Faith Tabernacle Church of God In Christ in celebrating Dr. Martin Luther King, Jr.'s 65th birthday and further congratulates the honorees for their steadfast commitment to make a difference in the struggle for the rights of mankind.

On the motion of Mr. Smith, the Resolution was adopted.

Mr. Cohen:

This is a proclamation by myself and Councilman Bob O'Connor and if we could have Billy and Lieba Rudolph and the Rabbi please come up here please.

Mr. Cohen and Mr. O'Connor present:

Bill No. 7 - WHEREAS, the Yeshiva Schools, under the leadership of the Lubavitcher Rebbe, Rabbi Menachem Mendel Schneerson, Shlita, have been serving the Jewish community by providing quality education in both secular and Judaic studies to children from preschool through high school; and

WHEREAS, the Yeshiva Schools are holding their annual dinner celebrating their 50th anniversary on January 9, 1994; and

WHEREAS, at the annual dinner, Rabbi Israel Meir Lau, Chief Rabbi of Israel, will serve as guest speaker and two outstanding leaders of the Pittsburgh community, Bill and Lieba Rudolph, will be honored; and

WHEREAS, Bill Rudolph has served for the past three years as President of Yeshiva Schools, and also serves on the Boards of Family House, The Jewish Chronicle, The Jewish Healthcare Foundation, and the United Jewish Federation; and

WHEREAS, Lieba Rudolph has a distinguished record of service to the community having served as past President of the Yeshiva PTA, as well as Campaign Chairman of the Young Business and Professional Division of the United Jewish Federation, and as a member of many other community boards and committees.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends and congratulates the Yeshiva Schools for 50 years of service to the Jewish community and to the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh commends and congratulates Bill and Lieba Rudolph for their leadership for the Jewish community and to the City of Pittsburgh.

On the motion of Mr. Cohen, the Resolution was approved

Mr. Cohen:

Thank you. Members of Council. You all know the Yeshiva Schools at the corner of Hobart and Wightman Streets in Sq. Hill, and they not only have a terrific facility there now, but they are also undergoing a large expansion and if you go by there now you will see a building coming up from a very large hole in the ground and in that building will be taught values, important values, to the children of that community. For that reason I want to congratulate Billy Rudolph and Rabbi Rosenfeld for all that they have done for the Yeshiva Schools and the community, but first turn it over to Councilman Bob O'Connor. Congratulations.

Mr. O'Connor:

I just want to add my thanks and congratulations to Rabbi Rosenfeld for running an excellent school. It's growing and expanding and it's right around the corner from my home and we're very glad to have it there, and Billy and Leva for all of their community work all over the City. Billy was a friendly competitor of mine. He owns the Wendy's chain, but we've worked together on so many projects and it's an outstanding family and not only does the school educate our young children, but the Yeshiva community is very active and has been very helpful in our entire Squirrel Hill and Pittsburgh region and I personally want to thank Yeshiva for all they've done for our family. Thanks a lot for coming.

Mr. Bill Rudolph:

First, I'd like to thank Councilman O'Connor and Councilman Cohen. Since we've gotten so personal, I want to say that I consider both of you, as you know on behalf of Rabbi Rosenfeld and Shlita and myself, we consider you to be our good friends. Councilman O'Connor's brother-in-law is one of my best friends, and Councilman O'Connor and I have been friends for a long time. I just wanted to add those few words.

Members of Council, I just would like to say that as Councilman Cohen mentioned, Rabbi Meir Lau, the chief Rabbi of Israeli, was here for your dinner on Sunday night and as he drove into Pittsburgh he couldn't get over the beauty of our City and this was the first time he was ever in Pittsburgh, but he was thoroughly impressed and just another word, when the Honorable Mayor spoke at our dinner the other night he mentioned the great challenge that we have as far as the responsibility of educating our children. It is obviously, as a community, one of the greatest challenges that we are faced with. We look forward to this challenge, we look forward to working with the City in making sure that all of our children have the best possible education and upbringing that is possible and we would welcome any opportunities, any partnerships, that we can do together to ensure that this is happening throughout the entire City. Thank you for this beautiful resolution.

Rabbi:

There is not much that I need

to add other than as a Rabbi, to add my little blessing that we all be able to join in to do our share. This was our first half of a century in educating, as Councilman Cohen said and Councilman O'Connor, educating the children of the Pittsburgh community and helping to make the world a better world and helping to do everything we can so that we do our share in making that happen. We now go into the next half century with the commitment to continue to do all that we can in educating the children and making the world a better place so that we can very speedily await the arrival of the Messiah. Thank you all and God bless you all.

Mr. O'Connor on behalf of all Members presents:

Bill No. 8 - WHEREAS, after eighteen months of intensive diplomacy, the Catholic Church is pledging to establish official relations with Israel on December 30, 1993; and,

WHEREAS, a fourteen point agreement is being signed on this day, in both Rome and Jerusalem, that guarantees access to Christian holy sites in Israel, assures the church freedom of expression, freedom to own property, and freedom to maintain schools in Israel, and pledges that the Catholic Church will join Israel in newly committed efforts to fight anti-Semitism; and,

WHEREAS, this symbolic gesture represents a triumph for Christians and Jews alike, and lays the groundwork for an exchange of ambassadors in 1994; and

WHEREAS, while people of many faiths rejoice around the world on December 30, religious leaders of the local Catholic and Jewish communities will celebrate this momentous day together in Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, and Council members of all faiths, does hereby applaud the commitment and diligence of Israel and the Vatican in their efforts to work towards this important accord:

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 30, 1993 to be Israel-Vatican Accord Day in the City of Pittsburgh.

On the motion of Mr. O'Connor, the Resolution was approved.

Mr. Smith:

Please bear with me as we go through this. Could the Westinghouse Band and representatives, Mr. Stemley, could you come forward. Could the parents, principal and vice principal come forward also.

Mr. Smith presents:

Bill No. 9 - WHEREAS, the George Westinghouse High School located in the Homewood section of the City of Pittsburgh, was built in two phases it was partially open in September 1922. In February 1924, the 2nd phase of construction was completed. On May 26, 1925 Westinghouse was formerly dedicated; and

WHEREAS, for almost 72 years, Westinghouse High School, has been

a pillar in the community and continues to service it in a number of ways. For example, under the direction of Mr. Calvin Stemley, the Westinghouse High School Band honorably accepted an invitation to participate in the Jake Millions Memorial Halloween Parade and Party, held in Pittsburgh's Hill District on Saturday, October 30, 1993.

WHEREAS, the Westinghouse High School Band humbly left it's Homewood neighborhood to provide a moving, tantalizing, dynamic and heart-warming performance on a snowy, rainy, windy and freezing day, and did so as if it were a hot, humid, scorching summer day.

WHEREAS, members of the Westinghouse High School Band: Rickey Clark, David Campbell, December Blackston, Kahlig Bell, Eric Dennison, Tatanisha Smith, Montanya Thomas, Kela Stubb, Chantell Hardy, Brandy Jackson, Andrea James, Rashida Campbell, Shawta Ford, Yetti Abetune, Stanley Blackwell, Joe Brown, Diane Thrower, Stephanie Conley, Kendra Heard, Elaine Davis rendered a memorable community service signifying the efforts of the late Councilman Dr. Jake Millions a graduate of Westinghouse High School, to involve young people in community activities.

NOW, THEREFORE, BE IT RESOLVED, That the City of Pittsburgh and The 3-5 Community Advocates does hereby recognizes The Westinghouse High School Band for it's participation in this annual event and commitment to community service.

On the motion of Mr. Smith, the Resolution was approved.

Mr. Smith:

I just want to say quickly that so often as young people put forth an effort and volunteer we tend to forget to let them know that we acknowledge that and so each student who is in the band will receive a copy of this and the mounted plaque is for the school and I'd like to ask Mr. Stemley to say a couple of words.

Mr. Stemley:

Thank you very much. On behalf of the Westinghouse High School and it's band program, we'd like to humbly say we thank you very much and in the future we enjoy doing these types of things and we look forward to doing more things in our community as well as many other communities with the band. They do an outstanding job and the reason for that is we have a very supportive staff and administration, a beautiful parent group and sponsors as you see here. So again, on behalf of Westinghouse High School, we'd like to thank you very much.

Mr. Smith:

Let's put one of the young people on the spot. Would someone like to say something?

The Chair:

Come on, you're drafted.

Band Members:

Well today I'd just like to thank everybody for the award that we received and I know everybody in the band would like to thank you. If it wasn't for Mr. Stemley, I don't think we would have been able to do this.

Mr. Smith presents:

Bill No. 10 - WHEREAS, "Volunteers" are extra special people who spend hours and hours of valuable time and exceptional energy helping others to help themselves and making the tasks of charitable and community organizations easier; and,

WHEREAS, "Volunteers" are as important to today's society as the air we breathe, they should never be taken for granted. Volunteers are kind, sensitive; individuals ready and willing to help make a difference; and,

WHEREAS, "Volunteers" provide a viable community service it is imperative to recognize them for all the special things they do.

NOW, THEREFORE, BE IT RESOLVED, That the Council of the City of Pittsburgh commends Hill District Residents, Myra Powell, Doris Hillard, Angela DeVan, Alice Richardson, Alroi Milliones, Denise El, and Clara Scott. The Staff at Ammons Recreation Center Mary Walker, Clarence Battles, Louis Condrey, also students at the University of Pittsburgh, Kelly Conston, Miaisha Howze, Kim Irvin, Sydney Lewis, Yolanda Wilson, and Kimberly Young, and Angela DeVan for the volunteer service rendered to the Jake Milliones Memorial Halloween Parade and Party, held October 30, 1993, sponsored by the 3-5 Community Advocates.

On the motion of Mr. Smith, the Resolution was adopted.

Mr. Smith:

Thank you. What I wanted to say, basically, and we are going

to give an opportunity for people to say a word, is that so many of us forget that unless we reach back and work with our young people, that it is our problem that we're creating and I think it is very important that we look at the cross section of individuals who have given time from the young who understand the concept and I just want to say that I am very proud that I know all of you. Would someone like to speak on behalf of the group?

Louis Kindrey:

Thank you for the honor of attending the recreation center's Halloween Party. We had a lot of fun and it was a good experience for us. We enjoyed working with young people. Thank you.

Ms. Alroi Milliones:

I'd like to say that I agree with what Councilman Smith said. It is important for us to take a role. It is important for us to provide opportunities for the young people in our communities. I, too, enjoy that, not just with the Halloween Party but with all of the other things that go on in our community. We do have a community of supporters of our young people. This is an example, but there are many, many more. We appreciate this recognition and we hope that you will also work with us to continue in these endeavors and to provide the kind of positive recognition and coverage for our young people that we need. Thank you.

Mr. Smith Presents:

Bill No. 11 - WHEREAS, businesses are an integral part of any community, those of particular

importance are those in the african-american community owned by african-americans. historically, african-american businesses were important, because they were established to fulfill the needs of urban african-american Community as a result of segregation, and

WHEREAS, african-american businesses are primarily supported by african-americans, some take for granted, while others realize that their survival is depended on african-american dollars, and

WHEREAS, the significance of african-americans businesses and their relationship to the community should go beyond their physical presents that is often not the case, and

WHEREAS, the appreciation of african-american businesses to the community they service is demonstrated in their "willingness" to "give something back" to The community by supporting community activities such has been the case with the following businesses: Bean Bonding, Buice's Styling Salon, Doc's New Ideas, The Flamingo Bar & Hotel, Ollie's, This -n- That Clothing Store, Vera & Rick's Lounge, and The West Funeral Home all minority owned businesses in the Hill District.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh graciously honors, recognizes, and respects those African-American Businesses which supported the Jake Milliones Memorial Halloween Parade and Party sponsored by the 3-5 Community Advocates, on Saturday, October 30, 1993.

On the motion of Mr. Smith, the Resolution was adopted.

Mr. Smith:

Thank you. I think that one of the things that this new Administration has truly spoken of and it was their platform, was to involve the corporate community and there is a corporate community in the minority community. They may not be international businesses but they certainly employ people, pay taxes, and are really reaching out into the community trying to make a difference and I think it is important that we give that recognition and to encourage other businesses to follow suit.

Mrs. Pool, I know you are always ready in a moment's notice. Would you like to say a word?

The Chair:

Mrs. Pool, we also want to thank you on behalf of all Council for all your hard work on the Crawford Roberts Development which was a long struggle.

Mrs. Pool:

Thank you so much. Good morning. It's my pleasure to be here this morning to accept this recognition of Council. It's something that all businesses in the Hill District should make a priority on their list. If we don't take care of our children no one else will, and we all have to make that effort when we're asked, no matter how small the donation or how large the donation. Give, so that we can start the rebuilding in our community for our own children. A lot of

businesses were asked, some said know. So it was a few who decided this must go on. The same thing that goes on on the North Side and South Side and East Liberty and West Mifflin should and will go on in the Hill District. And we'll ask your help. I'll always be there with my help, and I thank you very much.

Volunteer:

I would just like to say that it is a pleasure for me to be able to help young people in my community and whatever it is that I can contribute to it, I will be more than willing to do. Thank you.

Mr. Smith Presents:

Bill No. 12 - WHEREAS, the Hill House Association, the House of the Crossroads, Lower Hill YMCA OutReach, PBA the 2nd step and Three Rivers Employment Service, Inc. participated in the Jake Milliones Memorial Halloween Parade and Party, on October 30, 1993, and

WHEREAS, these organizations and agencies provide a wide range of services for various aspects of the Pittsburgh Community, particularly the african-american community. They have demonstrated their services extend beyond the designated boundaries and.

WHEREAS, one of these boundaries included assisting a community-based organization in it's efforts to provide a positive and safe community activity for the children of Pittsburgh's Hill District Community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby acknowledge the above mentioned for going beyond the call of duty.

On the motion of Mr. Smith, the Resolution was adopted.

Mr. Smith:

We fund many organizations that write scopes of services and I am very proud that the organizations in my district have gone beyond their scope of services and are willing to take on the challenge and assist the community, so I'm very proud of all of my organizations. I'm going to turn it over to whoever is willing to speak first.

Ms. Margaret Simms:

I'm Margaret Simms and I'm from the House of Crossroads, and I'd just really like to express my appreciation for this recognition. The House of Crossroads gave me a second chance of life. It's teaching me to be a role model and a leader in my community.

Ms. Rhonda Galloway:

Good Morning, I'm Rhonda Galloway from PBA the Second Step, a drug treatment facility providing drug treatment in four public housing communities, our newest location being in the Alequippa Terrace area in the Hill District as well as North View Heights, McKees Rocks Terrace and Hase Manner, and it is our pleasure to be here today and to accept this award on behalf of PBA and the Second Step. Thank you.

John Brewer:

My name is John Brewer and I'm representing Three Rivers Employment Service. On behalf of our Board of Directors and all the people who have actually graduated from Three Rivers Program including myself back in 1988, I'd like to thank the City Council for all it has done in supporting Three Rivers and helping to help young people, even like myself, to find meaningful employment. We have two office, one in the North Side and the Hill and we have had the opportunity to work with a lot of people from the City of Pittsburgh, everyone from low housing, AFDC recipients, welfare recipients and these are the people and these are the kind of services that I think Councilman Smith had referred to. When we write these proposals for the scope of services that we are remembering to reach back in the community and help our young adults who are faced with all the barriers to employment and to life. Thank you.

Oliver Coleman:

Hi, my name is Oliver Coleman. I'm the Program Director of the lower Hill Outreach YMCA in the Hill District and I'd just like to thank you for this award here and the YMCA is committed to working with youth in the community and other community-based organizations to bring about a base for our youth to go, and I'd like to thank you.

Mr. Smith on behalf of All Council Members Presents:

Bill No. 13 - WHEREAS, on Friday, December 31, 1993, Hubert C. Smith and Virginia L. Smith

will join with friends and relatives to celebrate their 50th Wedding Anniversary; and

WHEREAS, Hubert and Virginia were married on December 31, 1943 in the City of Pittsburgh, and have been life long contributing residents of the Greater Pittsburgh Community; and

WHEREAS, Hubert C. Smith after his tour of duty in the armed forces during World War II, returned to Pittsburgh to take over and manage the Printing Business established by his father. Several years later he launched a career as an Administrator working in several public and governmental agencies and finally retired in December 1990 from the Department of City Planning, after 20 years of service; and

WHEREAS, Virginia L. Smith in addition to being a dutiful wife and caring mother, had 29 years of service with the Pittsburgh Board of Education and retired in June 1993; and

WHEREAS, the commitment and dedication of this couple to others was transferred and shared with two sons, Christopher A. Smith, the elected Councilman for Council District Sixth in the City of Pittsburgh, and with James C. Smith, the father of their two grandchildren, Cortez and Schatera; and

WHEREAS, Hubert C. Smith and Virginia L. Smith have spent a life time of sharing and giving, they have loved each other for 50 years, defying all odds, for true love lives forever; and

NOW THEREFORE, BE IT RESOLVED, that the Council OF the City of Pittsburgh proclaims Friday, December 31, 1993 as Hubert C. Smith and Virginia L. Smith Day in the City of Pittsburgh, and 50 more years of LOVE and HAPPINESS.

On the motion of Mr. Smith, the Resolution was adopted.

Mr. Smith:

Thank you colleagues.

The Chair:

We're disappointed that your parents aren't down here today.

Mr. Smith:

They had a celebration on their date, which was December 31st and they were very elated that my colleagues were willing to sponsor a Resolution honoring their fifty years together and I want to thank every one and let the world know that love does last a half century or longer.

The Chair:

We wish them another fifty.

At this time I'd like some great young people to come forward from Rodgers School as well as some of the teachers, as well as a few of the representatives from the Highland Park Community Club. if you could please come forward. Stand here to my left and we'll also get a group photo for the school. We have a few Michael Angelo's and a few others in this crowd.

The Chair Presents:

Bill No. 14 - Whereas, for many years the wall on Hill Road between the Pittsburgh Zoo and Bunker Hill Road has been an eyesore to the Highland Park community and an embarrassment to the City because of excessive graffiti vandalism; and

WHEREAS, the media seems to focus on the problems of City youth, often portraying our young people as violent and destructive, while ignoring the majority of our youth who are good students and good family members and the many talented and creative young people who make positive contributions to their communities and who represent our hopes and our future; and

WHEREAS, Colleen Asper, Crystal Caskey, Salima Dawson, Jessica Dobrushin, Edward Drummond, Nicole Geary, Daryl Gray, Carolyn Keyes, Shannon Oliverio, Kalani Palmer, Marcello Perierra, Megan Renstrom, Ashly Sanford, Michael Schubert, Adrienne Swickline, Molly Zuckerman and Nicole Zugates are all talented and creative students who attend the Rogers School for the Creative and Performing Arts located in the Garfield community of the City of Pittsburgh; and

WHEREAS, the aforementioned students of the Rogers School for the Creative and Performing Arts labored tirelessly outdoors for three months in the cold, in rain, sleet, and snow under the able direction of teachers Pam Costanza and George Morris to create a work of art where once there had been ugly graffiti; and

WHEREAS, the fruit of the

labors of the students from the Rogers School for the Creative and Performing Arts is a beautiful mural with a zoo animal theme; and

WHEREAS, completion of this massive creative project would not have been possible without the assistance of volunteers from the Highland Park Community Club who stood outdoors in the cold, rain, sleet and snow to direct traffic for the safety of the students; and

WHEREAS, as the result of the selfless efforts of the Rogers School students, faculty and Highland Park Community Club volunteers the roadway to the Pittsburgh Zoo has been transformed into a thing of beauty instead of an eyesore.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Pittsburgh, that Colleen Asper, Crystal Caskey, Salima Dawson, Jessica Dobrushin, Edward Drummond, Nicole Geary, Daryl Gray, Carolyn Keyes, Shannon Oliverio, Kalani Palmer, Marcello Periera, Megan Renstrom, Ashly Sanford, Michael Schubert, Adrienne Swickline, Molly Zuckerman, and Nicole Zugates of the Rogers School for the Creative and Performing Arts and the Highland Park Community Club are hereby officially commended for their efforts in removing blight and creating a work of art on Hill Road in Highland Park.

On the motion of Mr. Ferlo, the Resolution was adopted.

The Chair:

We have a number of representatives here today from the school. I'd like maybe one or

two of them to speak. Obviously we'd like to get one of the students up here also and I see Dale Ziegler whose here from the Highland Park Community Club and Barbara Howe up there in the audience taking some pictures.

I think you've learned recently because of the media focusing on the issue that there's been graffiti vandalism on this work of art in the last few weeks and obviously that's very disappointing. But I was very proud of some of the young people that I did see on the news who said, well, we're not happy about it but we're going to fight back and we're going to correct it and our spirits and the hard work that we demonstrated is not going to be tainted as a result of some nuckle head. The Highland Park Community Club in fact has offered to \$500 reward for any information leading to the arrest and/or conviction of the individual/s that may be involved in ruining this beautiful work of art and as well as another \$500 which is being offered as a result of Council's approval of the reward of the graffiti trust fund. I hope that information gets out to the community. It's been successful in the past and I hope that we are able to catch the culprit.

At this time, I would like some of the representatives to come forward to receive the proclamation.

Neil Huey:

Good morning, I'm Neil Huey, the principal of the Rogers School for the Arts, so naturally it falls to me to be the spokesperson for this joyous occasion in terms of the way in which these young

people under the direction of their teachers have functioned over the last six months, successfully, in spite of the type of things in our society that put a wrinkle in our progress. But we are ready to deal with that head on. We want to thank Council for this opportunity in giving us this award and this recognition. We want to thank you for what you have done and what you will do as you assist us in working with the community in eradicating the kind of thing that we unfortunately have to deal with in completing the mural. It is our gold and our charge to continue working in the community, not just in Highland Park but with other aspects of mural work within the North Side and any commission work we get to do our murals. I want to thank the very strong efforts of the Highland Park Group in working with us as a community school and also the teachers who had fine direction for these young people and I know that you want to celebrate the way in which they have done a very fine thing in this community. Thank you.

George Morris:

I'm George Morris. It's my pleasure to be a teacher at Rodgers Academy. I just very briefly would like to say that without President Ferlo's help and the help of Members of his staff interfacing between myself and the school, Highland Park, in the City, we never could have gotten this work done. Additionally I would like to thank Barbara House and she is here who did as much work as anybody did in lining up the volunteers from my community, the Highland Park Community. Very briefly and then I'll introduce Pam Costanzo on the graffiti issue

and then I'll have the name of the person who did it. I am meeting with people tonight who will bear witness to that fact. I will have addresses very soon and I will turn them all over to the police and Councilman Ferlo, so I expect that that will be resolved within the next couple of days and you do have our promise that as soon as the weather is good, I have a chemist who is going to go out with some various solvents to try and find out how we can fix that wall and save as much of the mural as possible and the kid's are sharpening their paint brushes and ready to go out as soon as the weather is good and then it will be coated again with an anti-graffiti coat. So, I would like to introduce Pam Costanzo who is the head of the Art Department at Rogers Catholic.

Pam Costanzo:

I just want to take a second to thank all of you and to let you know just briefly, this is the eighth mural that we have done in the community. I would have to say probably because of the high visibility of it that we've been able to have a lot of publicity for it but this is definitely a history that we have at Rogers School for working very closely with various community groups to help beautify the neighborhoods. We will be starting next month on a mural but it will be an inny-mural so we won't be out in the snow and in the rain. One final word about the joy that all this brings cause it is an awful lot of effort on the students task and ours because they're missing school, they have to go back and make up all the work that they missed, etc. but this is a true show of what can happen when you

have children and parents and community all working together and I hope again that this is only the beginning of many things to come to help beautify our wonderful City of Pittsburgh. And I will let one of our students come up and speak. Megan Runstrum.

Dale Ziegler:

I'm not a student. I'm Dale Ziegler, Vice President of the Highland Park Community Club. I accept the plaque. I have been waiting for this for twenty years driving by that wall and if the students here don't think they've touched a nerve. I first learned of the success of the wall when I was out of town coming back in from the Airport and a Cab Driver from Lawrenceville when he learned where I was going said "oh, did you see what's happened to the wall: I've been living in Lawrenceville for thirty years and I've been waiting for that to happen" so if we struck that individual we struck thousands of others. And the last note on the graffiti when I first heard about that it probably affected about 10% of the wall I was disappointed and as I reflect on it maybe that isn't such a bad lesson to learn. We take four steps forward and that's life. We're going to get knocked back one but you have strengthened the resolve of that community. I'm glad to hear that you kids are ready to get back out there and fix it. We certainly are. It's going to get back up to where it was originally. We thank you very much.

Megan Renstrom:

Hello. my name is Megan Renstrom and I'm a student at Rodgers Catholic. I'd like to

take a moment to thank Highland Park Community Club and the City Council for recognizing this project. While doing this project I learned many things such as how to paint in the lines which I know its sort of hard and how water affects the paint and things like that. Thank you.

The Chair:

I'd like to ask for a group photo if we can just take half a minute. But the gentleman who was up here just before me, Mr. Zielger, I just want to also thank him because he's the guy you can usually see out in the Highland Park Zoo area or in the Park itself or anywhere in the Highland Park neighborhood and usually he is out there single handedly, night and day, in good weather and in bad weather, and he's sort of the Johnny Appleseed of Highland Park. He does most of the floral plantings and arrangements year after year after year and I just want to give recognition to somebody whose really out there beautifying the community. Thank you Dale, very much.

I believe before the students leave the building they're going to try and stop by the Mayor's Office. I know the Mayor had a number of meetings and we'll see if he's back yet. And Mr. Girdanny from my office, I want to thank Paul and Craig from my office and Gerry for their help on the mural and a lot of the other Highland Park Community Club volunteers.

Again, we cannot stress enough that this Council is adamant on the issue of graffiti vandalism, not only on the destruction of this beautiful mural that these

students struggled to create over the last few weeks and months, but whether its on some private property or public property, we will pursue the graffiti vandals through making them appear in Court. They will be held accountable and again there is rewards available. financial rewards, if you have any information leading to the arrest and/or conviction of any individual committing graffiti vandalism. It's a problem in every one of our Council District. And please, contact your respective Council District Member, if you have any information in that respect.

The Chair:

At this time I'd like to move along. At this time we will ask for Presentation of Papers.

Mr. Cohen presented

No. 15 Resolution authorizing the transfer of Twenty-Five Thousand Dollars (\$25,000.00) from Code Account 1470-9, Index Code 147090, Workers' Compensation, to Code Account 1461-1, Index Code 146118, Premium Pay, Department of Public Safety Bureau of Fire to meet payrolls.

Also,

No. 16. Resolution authorizing the transfer of Twenty-Five Thousand Dollars (\$25,000.00) from Code Account 1457-9, Index Code 145797, Workers' Compensation to Code Account 1443, Index Code 144303, Salaries and Wages, Department of Public Safety, Bureau of Police to meet payrolls.

Mr. Cohen moved to suspend Rule 8 by providing for

consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Which were read and referred to the Committee on Finance.

Also,

No. 17 An Ordinance amending the Pittsburgh of Ordinances, Title Five - Traffic, Article VII - Parking, Chapter 541. General Parking Regulations, Section 541.07 by adjusting the specific fine for violation of 541.01(c)(4) for street cleaning violations.

Which was read and referred to the Committee on Public Safety.

Also,

Mr. Darkins presented

No. 18 Resolution granting unto National Development Corporation, 4415 Fifth Avenue, Pittsburgh, Pennsylvania 15213, their successors and assigns, the privilege and license to construct, maintain and use at their cost and expense, one double-faced business identification sign in the right-of-way of Liberty Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 19 Resolution granting unto Cleo Moone with an address at 5433 Broad Street, Pittsburgh, Pennsylvania 15206, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a portion of a retaining wall and

parking pad in the right-of-way of Jordan Way in the 11th Ward. 9th Council District of the City of Pittsburgh.

Also,

No. 20 Resolution authorizing the Mayor and the Director of the Department of Public Works to provide a license agreement with the Port Authority of Allegheny County and the Commonwealth of Pennsylvania to provide for the installation of a concrete pad by the City of Pittsburgh within the right-of-way of Ohio River Boulevard at the Termon Avenue ramp in the 27th Ward. 1st Council District of the City of Pittsburgh.

Also,

No. 21 Resolution authorizing the Director of the Department of Public Works to provide a license agreement with Duquesne Light Company, 301 Grant Street, Pittsburgh, Pennsylvania 15279 to install one pole on City owned property along Central Avenue in the 27th Ward. 1st Council District of the City of Pittsburgh.

Also,

No. 22 Resolution vacating Copely Way between Idlewood Avenue and Bert Way in the 28th Ward. 2nd Council District of the City of Pittsburgh.

No. 23 Resolution vacating Haskell Way from Penn Avenue to Mulberry in the 6th Ward. 7th Council District of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Also,

Mr. Hertzberg presented

No. 24 Resolution transferring the amount of \$7,000 from Code Account 1001-2, (100123) (District 2) Salaries & Wages, As Needed, to Code Account 1001-1, (100115). Miscellaneous Services. City Council.---(SPONSORED BY MR. HERTZBERG)

Mr. Hertzberg moved to suspend Rule 8 by providing for consideration of the bill only or after the 8th calendar day following the meeting in which the bill was introduced so that the bill will be on the agenda this Wednesday.

Which was read and referred to the Committee on Finance.

Also,

Mr. Onorato presented

No. 25 Resolution providing for the transfer of funds in the aggregate amount of Four Million Nine Hundred Twenty-Four Thousand Four Hundred Forty Dollars (\$4,924,440) from various Workers' Compensation Code Accounts to Code Account, 44-9 Workers' Compensation Medical, Index Code 004499.

Also,

No. 26 Resolution providing for the transfer in the amount of Thirty-Nine Thousand Nine Hundred Dollars (\$39,900) from Code Account 45, Index Code 004507, Health Insurance to Code Account 53, Index Code 005306, Debt Service Auditorium Authority of Pittsburgh.

Mr. Onorato moved to suspend Rule 8 by providing for consideration of the bills only or after the 8th calendar day following the meeting in which the bills were introduced so that the bills will be on the agenda this Wednesday.

Also,

No. 27 Resolution providing for the issuance of a warrant in the sum of \$3,850.00 to Rose Ann Kulwicki c/o Cynthia S. Akers, Healey, Davidson & Horneck, Fifth Floor, Law & Finance Building, Pittsburgh, PA 15219, in full and final settlement of the action filed at 06335-92 alleging property damage sustained due to sewage back-ups in their basement between November 1990 and March 1991.

Also,

No. 28 Resolution transferring the amount of \$10,000.00 (Ten Thousand Dollars) from Controllor's Code Accounts: 1046-1, Premium Pay (\$2,394.11), and 1048, Miscellaneous Services (\$7,605.89) to Code Account 1046, Salaries, Regular and Temporary Employees.

Also,

No. 29 Resolution amending Resolution No. 754, Item F, effective July 2, 1992, which authorized the sale of the a vacant lot 40.17' x 60.96' x 73', known as 1440 Sandusky Street, 25th Ward, Block 23 C, Lot 155, to James G. Bistolas and Mary Anne Bistolas, his wife, for the sum of \$350.00.

Also,

No. 30 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 31 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 32 Resolution providing for the issuance a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh PA 15219, in the amount of \$1,000.00 in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of January 1994. --- (SPONSORED BY MR. RICCIARDI)

Which were severally read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 33 An Ordinance supplementing the Pittsburgh Code, Title Ten, Buildings, by adding Chapter 1017, Nuisance Abatement. --- (SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Public Safety

Mr. Smith presented

No. 34 An Ordinance amending the Pittsburgh Code, title Nine.

Zoning, Article III, Chapter 921. Section 921.02. Zoning District Map No. 11, by changing from "R3" Multiple-Family Residence District to "C3" Commercial District all that certain property bounded by: South Atlantic Avenue: the "C3" Commercial District zoning boundary line north of Liberty Avenue between South Pacific Avenue and South Atlantic: and Lots Numbered 66 and 78. Block 51-G, in the Allegheny County Lot & Block System: 8th Ward.

Also,

No. 35 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921. Section 921.02. Zoning District Map No. 7, by changing from "R3" Multiple-Family Residence District to "A1" Commercial-Residential Associated District all that certain property generally bounded by Wabash Street, Neptune Street, Warden Street, McCartney Street, Woodville Avenue, and McKnight Street, 20th Ward.

Also,

No. 36 Resolution renewing Resolution No. 152, approved by City Council and effective on March 5, 1993, authorizing western Manor, Inc. to convert an existing five-story structure located at the rear of 2851 Bedford Avenue and identified as Building "D" into 30 units of housing for the elderly and one for a resident manger, a community clinic, and a senior citizen center, with parking to accommodate 24 automobiles, on property zoned "R4" Multiple-Family Residence District, 5th Ward.

Also,

No.37 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 15th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 55-H Lot 269, under the Residential Land Reserve Fund.

Also,

No. 38 Resolution approving execution of a Contract for Disposition by sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Lawrence P. Bayan for the sale of Block 55-H Lot 269 in the 15th Ward of the City of Pittsburgh (PARKING).

Also,

No. 39 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 16th and 17th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 12-P Lots 92, 106 and part of lot 152, under the Industrial Land Reserve Fund.

Also,

No.40 Resolution approving execution of a Contract for Disposition by sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and James and Therese Eaborn for the sale of Block 12-P Lots 92, 96, 106, and part of Lot 152, in the 16th and 17th Wards of the City of Pittsburgh (PARKING).

Which were severally read and referred to the Committee on Planning, Housing & Development.

The Chair:

I'd like to remind the public and who is listening that since this is the beginning of a new Legislative Session that on any introduction of a Resolution or Ordinance to these Chambers either by the Administration or by a respective Member of Council, the public does have a right to be heard. You can request a formal public hearing on a matter and please contact the City Clerk's Office at 255-2138 or your respective District Council Members.

At this time the Chair is unaware of any matters under Unfinished Business. If any of the colleagues have anything to report or comment on in that regard. Mr. Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President. First on your comments, I think it's also important to inform the audience that if that would like a public hearing before the legislation is voted upon, a petition must be entered into within three days to the City Clerk's Office.

I would just like to take this moment to commend Mayor Tom Murphy for initiating a Task Force to investigate how guns get in the hands of our juveniles and our criminals because I think that's a courageous stand that Mayor Murphy is taking. That is not banning hand guns or banning weapons from law abiding citizens, but actually focusing in his resources and our

time into the criminals and I think that's a courageous move because it's very easy to let's just ban guns or let's just ban assault weapons, or let's just take the politically correct move. But I think what Mayor Murphy is saying is, let's really focus our attention on the illegal activities of criminals and those juveniles and how they're getting those guns, and I really want to take this moment to commend Tom Murphy for that position. Thank you.

The Chair:

Thank you, Mr. Ricciardi.

At this time, traditionally we do have Reports from Standing Committees, but this being a new session of Council as you know we disposed of all matters at the end of last year, so at this time there are no Reports from Standing Committees. I did see, however, Councilman Smith's hand go up and I hope it's actually under unfinished business and not motions and resolutions.

Mr. Smith:

Well, I think that it probably goes back and forth because the problem is I have received a number of phone calls from City employees. We are not pressing the issue of whether the employees who showed up for the day the City was closed, we're not consistently charging them all with a personal day usage. I think that that's an issue that we need to come up with and that's why I think it may very well be unfinished business, that we need a consistent policy to be brought out or at least across the board someone with the new Administration, because I think

it's unfinished. We've never had this problem.

The Chair:

I would suggest, Mr. Smith, with your permission, that you forward through this Council a letter to the Administration asking for a response on this matter.

Mr. Onorato:

I agree with Councilman Smith, that this is unfinished business, because if I'm not mistaken, Councilman Smith, you and I brought this up a few months ago. It was the exact same problem, and it appears to be happening with the snow storm. But we have certain individuals downstairs, in particular, who feel that they are not being treated equally. My office also received several calls about partial pay days. I would like to have this clarified and I realize we have a new Administration so hopefully we can solve this problem this week.

The Chair:

I would ask that both of you take the task at hand and help frame a letter that would be drafted by Mr. Perry that we can forward to the Administration and have a response by next week's meeting. Thank you very much.

We have no reports from any special committees: however, I do have one request, and that is the Appointment of a special Sub-committee. This has to do with the City Council Chambers restoration. There are a number of concerns that have come to light about expenditures to date involving restoration activities

here in these Chambers. I would ask that at least there are probably three committees that in some way deal with this issue - General Services, Engineering & Construction, and Finance. I would ask that Councilman O'Connor, Councilman Cusick and Councilman Onorato be joined by two representatives from the Historical Review Commission making up a Sub-Committee. I'm not asking you to do a lot of work but I'm asking you to give the City Clerk and staff and ultimately this Council some direction on this issue of expenditures involving restoration activities here in these Chambers, be it tables, chairs, the walls, etc. And I would ask that Mr. O'Connor please accept the hosting of that Committee and we will forward a request to Mr. DeSanis and to Mike Eversmeyer from the HRC staff. We need a working committee to do the things that I have just outlined and also I think we need to have some discussion on what the expenditures will be for this year's budget and also come the annual appropriation for the 95 budget. We'd like to have some working plan that we can adopt, so Mr. O'Connor, with your permission, I hope you will help take on this task.

Mr. O'Connor:

It would be my pleasure.

The Chair:

At this time, we have motions and resolutions, and I'd like to introduce a number of Appointments that have come over from Mayor Murphy's desk.

MOTIONS AND RESOLUTIONS

The Chair presents

Bill No. 41 - Resolution appointing Ralph Kraszewski as Director of the Department of Public Works.

Also,

Bill No. 42 - Resolution appointing Fred Reginella as Director of the Department of Engineering & Construction.

Also,

Bill No. 43 - Resolution appointing Jacqueline R. Morrow as City Solicitor, Law Department.

Also,

Bill No. 44 - Resolution appointing Faith P. Gallo as Director of the Department of Parks and Recreation.

Also,

Bill No. 45 - Resolution appointing Barbara M. Parees as Director of the Department of Personnel.

Also,

Bill No. 46 - Resolution appointing Paul Hennigan as Director of the Department of Finance.

The Chair:

Members of Council, what is your pleasure? I understand there is probably at least six appointments. Some of the individuals have already been working on the job and we know them well. Some advice, Mr. Smith?

Mr. Smith:

I would like to suspend Rule 8 so that we could call them to the table tomorrow.

The Chair:

Motion to waive Rule 8 on the introduction of these Appointments so that we may interview them during the course of tomorrow's meeting.

All in favor of that procedure? Motion carries.

Mr. Onorato:

I'd like to request Mike Perry, if you could send a message over to the Administration to have a resume file on each individual, and nine different folders, so that we could have these before the meeting tomorrow and therefore, when they are at the table we could just open up the folder and have it at our fingertips and we won't have any problems with confirmation or discussion at that point.

Mr. Cohen:

My understanding is that Faith Gallo will not be able to be here tomorrow. Is that correct?

The Chair:

Yes, she will not be able to be here tomorrow. Her appointment will hold until next Wednesday's discussions.

Mr. Cohen:

So we would have the five appointees, then?

Mr. Ferlo:

I believe it is five.

The Chair:

Before we get on other motions and resolutions, is there a motion to approve the minutes?

Mr. Cohen:

So moved.

Mr. Onorato:

Second.

And on the motion of Mr. Cohen, the minutes were approved.

The Chair:

Motion to excuse the absent member.

Mr. Cohen:

So moved.

Mr. Ricciardi:

Second.

The Chair:

Other matters under motions and resolutions?

Mr. Cohen:

Thank you, Mr. President. I'd like to take a couple of minutes to discuss the Ethics Commission. We received a letter just a couple of days ago from Mr. Tom Solomich, the distinguished Chair of the Ethics Commission, and in that letter he stated that there are four vacancies on the Ethics Commission. What I'd like to do if I could is give a status report

on the Commission, perhaps some direction as to how we can get this Commission back up to a full complement of people. The four vacancies, I think, is somewhat inaccurate in that City Council if you recall did nominate and the Mayor chose--we did have a confirmation hearing and an actual confirmation vote on one new member and that is Janet Berkowitz. I think that was back in November. The Mayor, however, has not sworn her in so I think the first thing that we have to do, I'm going to make a motion that we have a letter to the Mayor. In that motion I think we have to ask that this member that had been confirmed by City Council be sworn in. So that brings it up to two members. As I calculate the other three members, if you recall it was kind of a complicated system of appointing them. Two members were appointed by the Mayor, three members were chosen by a process where Council put forward names and the Mayor would choose three names from that list. When a vacancy occurs and you have to fill those vacancies, you have to know whether it's a Mayoral appointment or a Council appointment and as I go through this list, two of the vacancies are Mayoral appointments. So if we could include in this motion to ask that the Mayor appoint outright two new members of the Ethics Commission, that would bring the complement back up to four. The final member was a Council nominee and a Mayor appointee. So, under your direction, Mr. President, if we could have City Council recommend three names to the Mayor from which he would choose one, that would bring it all back up to five. I think we need to do that, obviously very quickly.

Mr. Ferlo:

I believe it is five.

The Chair:

Before we get on other motions and resolutions, is there a motion to approve the minutes?

Mr. Cohen:

So moved.

Mr. Onorato:

Second.

And on the motion of Mr. Cohen, the minutes were approved.

The Chair:

Motion to excuse the absent member.

Mr. Cohen:

So moved.

Mr. Ricciardi:

Second.

The Chair:

Other matters under motions and resolutions?

Mr. Cohen:

Thank you, Mr. President. I'd like to take a couple of minutes to discuss the Ethics Commission. We received a letter just a couple of days ago from Mr. Tom Solomich, the distinguished Chair of the Ethics Commission, and in that letter he stated that there are four vacancies on the Ethics Commission. What I'd like to do if I could is give a status report

on the Commission, perhaps some direction as to how we can get this Commission back up to a full complement of people. The four vacancies, I think, is somewhat inaccurate in that City Council if you recall did nominate and the Mayor chose--we did have a confirmation hearing and an actual confirmation vote on one new member and that is Janet Berkowitz. I think that was back in November. The Mayor, however, has not sworn her in so I think the first thing that we have to do, I'm going to make a motion that we have a letter to the Mayor. In that motion I think we have to ask that this member that had been confirmed by City Council be sworn in. So that brings it up to two members. As I calculate the other three members, if you recall it was kind of a complicated system of appointing them. Two members were appointed by the Mayor, three members were chosen by a process where Council put forward names and the Mayor would choose three names from that list. When a vacancy occurs and you have to fill those vacancies, you have to know whether it's a Mayoral appointment or a Council appointment and as I go through this list, two of the vacancies are Mayoral appointments. So if we could include in this motion to ask that the Mayor appoint outright two new members of the Ethics Commission, that would bring the complement back up to four. The final member was a Council nominee and a Mayor appointee. So, under your direction, Mr. President, if we could have City Council recommend three names to the Mayor from which he would choose one, that would bring it all back up to five. I think we need to do that, obviously very quickly.

The Ethics Commission was the result of a great deal of work here on City Council and in the Mayor's Office plus the Mayor's Commission on Ethics, and a lot of time and effort went into it because of the need to maintain and preserve people's trust in City government. Although the Commission has had only five advisory opinions that they have rendered, and I think a number of oral opinions, they haven't actually had a hearing yet. Nevertheless, I think it's very important, critical, that this Ethics Commission continue because it gives every member of the public, every citizen, the right to file a complaint or ask for a written opinion, and I think it's important that we preserve that right for the citizens of Pittsburgh.

What I'd like to do is make a motion that we send a letter to the Mayor's Office to swear in Janet Berkowitz and to appoint two new members and also to ask that you direct us in making sure that we have three nominees to the Mayor's Office for that last position.

Mr. Smith:

Second.

The Chair:

Seconded by Mr. Smith. Any other discussion on this motion?

I think Council is in agreement that we must have a full complement of Commission Members. All in favor? The motion carries.

Any other matters under motions and resolutions by my colleagues?

I have one request and update. I received a notice from Mr. Perry who I believe received the letter from our former Council President, Mr. Wagner, who for obvious reasons at the end of the year could not deal with this matter, and that is appointments to the City's Cable Communications Advisory Committee.

As you know, this is a group of which six members are appointed at large for a three year term, five members are appointed, supposedly by district, for a two year term. All of the appointments, the eleven-member appointments, are up December 31st. I believe they meet in their first re-organization meeting later on this month. I would like to suggest, I did go around to each Member, a few of you have forwarded names. I was going to place back to this Council body for nomination and re-appointment, Mr. Phil Wasler. Councilman Smith had discussion with Mr. Paul Bethel who would like to be re-appointed. I believe Mr. O'Connor had a discussion with Ms. Elaine Krazik and we need a clarification in terms of her continued re-appointment. Mr. Hertzberg had nominated Mr. Mark Gracey from out in his District. Mr. Onorato had suggested a gentleman from his district, Mr. Budd Beatty. Mr. Cusick had presented the nomination of Jim Girruba from his Council District.

At this time I do not have an appointment from Mr. Ricciardi, Mr. Cohen, Mr. Darkins. I would like to suggest with your agreement that we conclude by getting the final nominations from the three members and that we introduce the nominees at the next

Legislative Session and have them come in Wednesday for a brief discussion. That gives Members a few more days to come up with some additional names. That would give us a complement of nine of the eleven members. With your permission I would ask that we go round robin again and if there are other Council Members who feel strongly about somebody who may or may not be from their respective District but we feel would make a significant contribution to this Cable Advisory Committee, if we could come back up with some names and try and get a consensus, but let's leave it that by next Tuesday you will forward to me any other names. We will formally introduce them at the next Tuesday Legislative Session and we will ask that come in for a brief interview the following day, next Wednesday, the Standing Committee session. Is there any problem or disagreement with that procedure to move this along? Thank you very much, so again, Councilman Ricciardi, Cohen and Darkins, if you could come up with additional names or considerations.

I know you have been talking with past members who have served on the Committee and we will need to forward a communication to the Murphy Administration, to Mayor Murphy, about this Committee and we need to have an Administrator who is going to be working with this Cable Advisory Committee. We know the gentleman who had that position in the past is no longer with the City and we want that first meeting to have proper legal and/or staff representation to help service and give direction to this Committee, and as Mr. Cohen well knows this Committee is going to be dealing right now with some controversial rate case issues

that is before us and we really need their guidance.

Are there any other matters under motion and resolutions? No other motions and resolutions?

At this time I would ask for a motion to recess this meeting and meet tomorrow afternoon, January 12th, at 2:00 P.M.

Mr. Onorato:

So moved.

Mr. Ricciardi:

Second.

The Chair:

All in favor of the recess.

And on the motion of Mr. Onorato, the meeting was recessed.

RECESSED MEETING OF JANUARY 11, 1994

The Chair:

Under the matter of unfinished business, at this time we have a number of appointments.

The Chair Presents:

Bill No. 41 - Resolution appointing Ralph Kraszewski as Director of the Department of Public Works.

Also,

Bill No. 42 - Resolution appointing Fred Reginella as Director of the Department of Engineering & Construction.

Also,

Bill No. 43 - Resolution appointing Jacqueline R. Morrow as City Solicitor. Law Department.

Also,

Bill No. 44 - Resolution appointing Faith P. Gallo as Director of the Department of Parks and Recreation.

Also,

Bill No. 45 - Resolution appointing Barbara M. Parees as Director of the Department of Personnel.

Also,

Bill No. 46 - Resolution appointing Paul Hennigan as Director of the Department of Finance.

The Chair:

What is the pleasure of the Body? Are there any points of discussion or would any colleague like to speak on any one of the appointments?

Mr. Ricciardi:

Thank you, Mr. President and colleagues. In the past I voted against three Mayor appointments. As a matter of fact on a vote 8-1 each time being on the losing side; however, I'm just proud to vote for all of these appointments today. I wouldn't even consider questioning any of their skills, their knowledge, their experience and their dedication to the Murphy Administration and to the City of Pittsburgh and I will be voting to confirm all appointments today. I only hope the upcoming appointments are the same quality.

especially I am looking forward to the other departments, the Department of General Services and the Department of Water. I am very interested to the Department of Water and as you know, the President assigned me to Chair the Department of Water and I also serve on the Pittsburgh Water and Sewer Authority. So I can only hope that the nomination, the name that comes forward for the Department of Water, is of the same quality as these people before us today. Thank you.

The Chair:

Thank you Mr. Ricciardi. Any other comments or discussion?

At this time I would ask the Clerk to please take the roll on the acceptance of Mr. Murphy's nominees.

ROLL CALL:

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

NOES: None

AYES: 8

NOES: NONE

The Chair:

The appointments are accepted by this body, and we wish them well.

REPORTS OF COMMITTEE:

Mr. Onorato presents Report for the Committee on Finance for January 12, 1994

Also with an affirmative recommendation

Bill No. 24 Resolution transferring the amount of \$7,000 from Code Account 1001-2. District 2, Salaries and Wages, As Needed, to Code Account 1001-1, Miscellaneous Services, City Council.

Also,

Bill No. 25 - Resolution providing for the transfer of funds in the aggregate amount of \$4,924,000 from various Worker's Compensation Code Accounts to Code Account 44-9 Worker's Compensation Medical.

The Chair:

You have heard the reading and title of these bills. Is there any discussion?

Hearing none. the bills are ready for final action. All in favor of the of the passage of these bills will vote aye when their names are called. All those opposed will vote no.

ROLL CALL:

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

NOES: None

AYES: 8

NOES: NONE

The Chair:

At time time, I don't know if there are any outstanding motions and resolutions, we discussed that earlier in the beginning of this recessed meeting. If there aren't any other points, I did want to, by way of information, congratulate Councilman Smith on his appointment by the Mayor to the Urban Redevelopment Authority Board of Directors which I think takes affect immediate, and there will be a formal presentation of that to these Chambers at the next Legislative Session when it's prepared by the City Clerk.

At this time, any other matters before the House?

Mr. Onorato:

I want to echo your statements, Mr. President, and congratulate Mr. Smith. Obviously the URA affects every one of our districts. There's a lot of great projects, a lot of money involved, and I'm sure he'll be an excellent Board Member.

The Chair:

I agree. Hearing no other concerns at this time, I would ask for a motion to adjourn.

Mr. Cohen:

So moved.

Mr. Hertzberg:

Second.

And on the motion of Mr. Cohen, Council adjourned.

M U N I C I P A L R E C O R D

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

January 18, 1994

No. 3

Municipal Record

ONE HUNDRED
TWENTY-EIGHTH COUNCIL

JIM FERLO President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
January 18, 1994

PRESENT:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

ABSENT:

Mr. Darkins

The Chair:

Would you all please rise for the pledge of allegiance and would you please remain standing for a moment of silent prayer.

Members of Council and to the public, we are very pleased this morning to have Michael Bradshaw with us. He's a fifth grader from St. Cyril's of Alexandria in Brighton Heights, Councilman Onorato's District, and his mother Ann is here also out in the audience.

Michael Bradshaw:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Thank you Michael, very much. I appreciate you coming down today.

PRESENTATIONS

Mr. Cohen:

If we could have Chef Raffeale and his wife Elaine come up here please. Glad to see everybody made it on this frigid morning. Members of Council and folks who are in the audience today, we know of many organizations who are working for people who are less fortunate than we are, organizations that really are well financed and are able to help people. We don't hear, very

often though, of people who actually take their own initiative to go out and help people who are in need of help, and I'm very, very proud to read this proclamation for somebody who went out to feed the homeless, taking his own initiative and doing it in a way that was very, very effective, so I'd like to read the following proclamation.

Mr. Cohen presents

No. 48 WHEREAS, Ralph A. Yohe, III, otherwise known as Chef Raffeale, is the new owner and operator of the Point Restaurant located in Point Breeze; and,

WHEREAS, Chef Raffeale is the founder and force behind an annual holiday dinner event to clothe and feed the homeless and has generously contributed his culinary expertise for three consecutive years; and,

WHEREAS, Chef Raffeale, his wife Elaine Yohe and his partner, Bill Uhler, contributed \$1,000 to sponsor this past holiday event, which was held in Market Square on December 18, 1993, and which served more than 260 homeless persons from the Pittsburgh area; and,

WHEREAS, Leslie Robshaw, an employee of Management Science Associates, led a clothing drive and donated over 2,000 pieces of new and used clothing from contributions by employees, family and friends of Management Science Associates,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby

commend Chef Raffeale, Elaine Yohe and Bill Uhler of the Point Restaurant and Leslie Robshaw and employees of Management Science Associates for their contribution of time, energy and resources on behalf of the homeless of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Tuesday, January 18, 1994 to be Chef Raffeale Day in the City of Pittsburgh.

Mr. Cohen motioned for approval. Which motion was seconded and approved.

Mr. Cohen:

Thank Members of Council. You didn't expect to have a day named after you, did you? Well, I'll tell you the reason that we're doing it is that the homeless problem in the City of Pittsburgh and in this whole area is an ever expanding problem in as much as government does to try to combat it, it seems that we are waging a losing battle in a lot of ways, and unless we have the volunteer initiatives from people like yourself to actually go out to Market Square three years in a row and to feed the homeless, we're not going to be able to solve this problem, so I think we need to have a partnership of a government task force to be able to focus on it but at the same time to be able to have volunteers like yourself. You are obviously a skilled chef and if you haven't been to the Point Restaurant come on down, but your skills are not only for paid customers but you've decided, because of your caring, to use those skills to help the homeless, and for that reason I want to

present you with this proclamation and thank you very much.

Ralph Yohe, III:

I'd like to thank everyone this morning for giving us this plaque but the truthful thing is that we didn't come down here this morning to accept this because we really did this out of our heart. The reason I really came is to ask the Council President and the Council Men if in the future, that if I can be of any help and assistance with any type of a task force that you might want to bring into the situation to help the homeless in the future, I'd like to be a big part of it. Like I said, I thank you for this, but what we did and what we continue to do, comes from our heart and we do accept this. But, I really want to be notified on anything that we can help with in the future and maybe set up some kind of a task force to do this and I hope we can do it. Thank you very much.

The Chair:

At this time I would call on Councilman Cusick who I know has a number of guests here in the audience.

Mr. Cusick:

I'd like to call on Councilman Cohen, Chairman of Public Safety, who is a co-sponsor to this bill. Also, Sergeant Bill Burke, Helen Blakely, President of the FOP Auxiliary Fort Pitt Lodge #1, Commander Patterson, and unfortunately, he's not able to be here today, but I know he is with us in his thoughts, and that is Pat McNamara, President of the

FOP. We also have Officer Gene Havlock here.

Mr. Cusick and Mr. Cohen present:

Bill No. 49 WHEREAS, Project Blue Light is special event that originated in Baltimore several years ago to give the public the opportunity to remember and honor law enforcement officers everywhere who have made the ultimate sacrifice by losing their lives in the line of duty and those officers who have been maimed and disabled, often ending their career; and

WHEREAS, Project Blue Light asks for Pittsburgh residents to display to a blue light in their window in support of those courageous public servants and their families who have lost their lives and those officers who continue to protect our neighborhoods in these troubled times; and

WHEREAS, The Fraternal Order of Police Auxiliary, The County of Allegheny Law Enforcement-Officers Memorial and especially retired Pittsburgh Police Sergeant Bill Burke of Carrick, brought the project to Pittsburgh in 1992.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby give recognition to Project Blue Light and it's organizers and encourages all residents of the City of Pittsburgh and Allegheny County to participant in Project Blue Light by displaying a blue light in their window in memory of all fallen officers, their families and all officers who risk their lives every day.

Mr. Cusick motioned for approval which was seconded and carried.

Mr. Cusick:

I'd like to at this time thank Councilman Dan Cohen for co-sponsoring this Bill. I believe it's very important that we have people that work for every one in our community and that that work does not quit after they get off the clock--it continues and we remember that the people that go out there put their lives on the line each and every day. At this time, I'd like to introduce you to the guy that brought this to Pittsburgh, and that's Sergeant Bill Burke.

Sergeant Burke:

Thank you. A lot of the Council people know me from previous appearances here. I not only brought the Blue Light with the help of Helen Blakely from the FOP Auxiliary but the County Commissioner Larry Dunn helped launch this last fall and with Council approving the Blue Light Project we have been on the radio. We've been trying to push it to the public. We want the people not only to have a blue light in their window during the holiday season but since they have these welcome lights, it would only take the unscrewing of a white light and putting that blue light in there to let the officer that's out on the street know that you have support behind you. I know we have Council's support and I hope that the people of the City of Pittsburgh and Allegheny County show their support, not only for the officers who made the supreme sacrifice by laying down their life, but the men and women

who are out there every day serving the public and doing what we think is one fine job. Thank you very much.

Helen Blakely:

When we started going out to the National Memorial up in Washington DC we were appalled at the number across the United States of officers that are killed in the line of duty and in a lot of the cases the criminals are still out on the street. Little children want to know why their daddy was killed, why their husband was killed, their sons were killed, and these people are still out on the streets, a lot of them. In 1991 166 officers of the United States were killed in the line of duty, mostly by guns. In 1992 we have this booklet from national, 143 officers, and we don't have the final total this year. But we want to let these men know that we are behind them. We want to support them and I don't believe there is an officer that goes out there and draws his gun with the intention of trying to kill someone. His life is on the line. He has to do that. Don't tie his hands. Thank you.

The Chair:

I want to say a special hello to Commander Patterson here from Zone 2, my buddy.

Thank you very much Mr. Cusick.

I believe we have two resolutions next for Councilman Darkins. Councilman Smith will read the first and I believe the second will be read into the record.

Mr. Smith:

Thank you. I'm substituting for Councilman Darkins and I think all of our prayers should be with him while he recuperates. I am very honored to substitute for Councilman Darkins.

Councilman Smith for Councilman Darkins presents:

Bill No. 50 WHEREAS, Speak With One Voice Against Racism, an interfaith and interracial ministerial coalition formed in 1989, will conduct workshop services and sermons for racial harmony during the weekend of January 14-16, 1994 and the weekend of February 18-20, 1994, which begins the National Brotherhood, Sisterhood week, in honor of Dr. Martin Luther King, Jr.'s birthday; and

WHEREAS, Speak With One Voice Against Racism expects over 300 congregations from the Greater Pittsburgh Area to participate in this year's celebration; and

WHEREAS, all denominations are affiliated with the project and One Voice Against Racism has received endorsements from many other ecumenical partners for their efforts to take a stand against racism; and

WHEREAS, in demonstration of their outrage against racism, One Voice Against Racism actively works to halt incidents such as the distribution of racist literature, job discrimination and racial incidents on college campuses; and

WHEREAS, One Voice Against Racism is working to break down

racial barriers and to promote racial justice in business, religious and lending institutions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates One Voice Against Racism for its efforts to alleviate racial injustice; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh urges all Pittsburghers to join with One Voice Against Racism in a celebration against racism in honor of the Late Dr. Martin Luther King, Jr.

On the motion of Councilman Smith, the Resolution was approved.

Mr. Smith:

Very good. I'm very happy to present Reverend Russell and actually, I forgot the copies, so I'll go get the copy.

Reverend Russell:

We want to thank you, Councilman, for filling in for Councilman Darkins on this occasion. We have been before you more times than we would like to have been. We still racism is still an issue that needs to be and must be dealt with. We cannot afford to act as if it does not exist. You will note the picture basically before you of this representative group is only a part of it, for you've got a black, you've got a Jew, you've got a female, you've got people from the Unitarian Universalist Church, you've got it from the Church of Christ, and we are all denominations, all faiths, all

colors, all sexes, but we are concerned about the issue of racism, so, we have banded together for that purpose and to that end. It is our hope, as you have noted that we have changed the day for merely just the one weekend but to extend for the full month and go into the week of National Brotherhood-Sisterhood Week. It is our hope that these proclamations nor this time spent is just not something we do and pass on. We feel very strongly about the fact that Council people and government people such as yourselves can have a very positive affect on racist issues in this City. Thank you very much.

Mr. Smith:

Thank you very much.

The Chair:

Thank you all for coming down this morning.

I believe there is one more resolution from Mr. Darkins and the Clerk will read that into the record.

Mr. Smith for Mr. Darkins presents:

Bill No. 51 WHEREAS, on Monday, January 17, 1994, the Greater Pittsburgh Alliance of Black School Educators will host its 6th Annual Youth Conference at Reizenstein Middle School to reflect the urgency of the times and the need to proceed with extreme caution in their daily lives to the hierarchy of care from self to family, to community and even on a global perspective;

a n d

WHEREAS, the presenters, Mr. Ed Ford and Mr. David Parker, respectfully, has presented various workshops across the nation, Mr. Ford has presented such topics as self-esteem, personal development and enrichment, assertiveness, stress management, sex education, drug abuse and parent-teen communications, and is currently the manager of a teen pregnancy prevention-intervention program for the Alma Illery Medical Center in Pittsburgh. Mr. Parker has shared the world of music with the hearing and the hearing impaired, through sign language nationally.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Greater Pittsburgh Alliance of Black School Educators, for their efforts to bring knowledge and wisdom to all concerned in our community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh extends success as they embark upon their endeavor.

On the motion of Mr. Smith, the Resolution was approved.

Mr. Smith presents:

WHEREAS, January 15th, is the birthday of Dr. Martin Luther King Jr., and we are called to celebrate his life, mission and work. Dr. King was a servant to humanity, a man for others, and his name belongs to the ages; and

WHEREAS, Hand In Hand incorporated, a non profit organization seeks to work in the tradition of Dr. Martin Luther King Jr. a great African- American

leader, winner of the Nobel Peace Prize, and to honor youth and adults who are dedicated to keeping his dream alive: and

WHEREAS, Hand In Hand Incorporated Honors Commander Gwendolyn Elliot, the new appointment of The Honorable Mayor Thomas Murphy who will work to lead youth in honorable paths, to empower them to make positive contributions to their community and;

WHEREAS, Dr. Martin Luther King Jr., encouraged young people of all races to transcend their poverty. Experience a "New Birth of Freedom", so that their uniqueness and creativity could be shared. We honor and commend, John Nemmer, Michelle Szulkowski, Jason Russell, Salynia Gates, and Barbara Herron, for receiving National recognition for their essays on "What It Means To Live In Poverty"; and we also honor Tracy Jenkins, Joshua Krueger and Eugene Sovall, winners of the Dr. Martin Luther King Jr. Talent Show, sponsored by Hand In Hand on January 8, 1994: and

WHEREAS, it is with deep appreciation and gratitude that we commend Alfreda Tyson for her tireless work with Hand and Hand Incorporated, and her efforts to honor the life and work of the late Dr. Martin Luther King Jr.

BE IT RESOLVED that the City Council of Pittsburgh congratulate the 1994 Hand In Hand honorees for their contributions to Keep the Dream of Dr. Martin Luther King Jr. alive.

On the motion of Mr. Smith, the Resolution was approved.

The Chair:

At this time I will ask for the introduction of any new Resolutions and/or Ordinances under Presentation of Papers.

Mr. Cohen presented:

Bill No. 53 Resolution amending Resolution No. 614 of 1993 which reads: "PROVIDING for the leasing from Spring Garden Neighborhood Council, Inc., (SGNC, Inc.) for a parcel of land and building located at 1013 Chestnut Street, Pittsburgh, Pennsylvania 15212, in the 23rd Ward of the City of Pittsburgh for a term of up to three (3) years, beginning on or about May 1, 1993, at no rental cost to the City. Spring Garden Neighborhood Council, Inc., will assume all utility costs along with supply and material costs associated with renovations/repairs to the structure. The City will assume all labor costs associated with repairs/renovations."

Which was read and referred to the Committee on Finance.

Mr. Hertzberg presented

No. 54 Resolution authorizing the issuance of a warrant in favor of Pittsburgh Sports & Festival Federation in the amount of Fifty Thousand Dollars (\$50,000.00), in payment for services provided to the City of Pittsburgh, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof, payable from Code Account 1838, Miscellaneous Services.

Also,

No. 55 Resolution

transferring the amount of \$29,000.00 from Code Account 1803, Index Code 180307, Utilities, Parks and Recreation, to Code Account SCPTF, Senior Citizens Program Trust Fund, Index Code 254250, in the Department of Parks and Recreation. The effective date of this transfer will be retroactive to December 20, 1993.

Also,

No. 56 Resolution transferring the amount of \$70,000.00 from Code Account 1843, Index Code 184309, Senior Citizens Program, Parks and Recreation, to Code Account SCPTF, Senior Citizens Program Trust Fund, Index Code 254250, in the Department of Parks and Recreation. (This transfer is necessary to pay salaries and rent for various Senior Citizen facilities, interim approval has been granted).

Which were severally read and referred to the Committee on Finance.

Mr. Hertzberg moved to suspend Rule 8 by providing consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so that the bills will be on the agenda this Wednesday.

Mr. Onorato presented

No. 57 Resolution providing for an agreement or agreements with a consultant to assist the City of Pittsburgh in the City Information Systems Office for a cost not to exceed \$8,850, chargeable to and payable from Code Account 1043, Index Code 104307, Miscellaneous Services, City Information Systems.

Which was read and referred to the Committee on Finance.

Mr. Onorato moved to suspend Rule 8 by providing consideration of the bill only after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi:

I wanted to ask a question when Councilman Hertzberg had presented a bill, but I thought just as a matter of procedure, Mr. President, in the past we have always been very liberal in suspending Rule 8 for the Administration. When I had to suspend Rule 8 for one of my bills I would talk to all of my colleagues and let them know the reason why. In the future I think it would be very beneficial to this Council if attached to each bill from the Administration or the appropriate Director, a reason why we suspend Rule 8, because obviously it's cutting down on the lack of time we can dedicate to researching or studying the bill. So Mr. President, as President of this City Council, if you could make that request to the appropriate Directors that we should have a reason why we are suspending Rule 8. It is stated very plainly in our Council Rules, but we never know the reason they're asking us.

The Chair:

Well I'd be happy to do that but as a point of reference, we rely heavily on the respect of the Council Chair of that particular Committee to work with that Director. Many times Council Chairs have introduced motions to

waive Rule 8 and many times they haven't. depending on the issue so we can suggest that and we'll do that but again. I think we are relying on the leadership and the acknowledgment of the respective Council Members that chair the various Committees to come forward when they want to waive Rule 8. It's really up to the Council Member's discretion. I think every administration Director knows that, but I'd be glad to forward that recommendation to the Administration.

Mr. Ricciardi:

Thank you.

Also.

Mr. Onorato presented

No. 58 Resolution providing for a warrant in the amount of \$1,487.50 in favor of Thomas B. Walsh in settlement of claim for sidewalk damage, chargeable to and payable from Code Account No. 46, Judgments.

Also,

No. 59 Resolution providing for the issuance of a \$1,000.00 warrant in favor of Bell of Pennsylvania, One Parkway, 16th Floor-D. Philadelphia Pennsylvania, 15230 in settlement of claim for property damage incurred when a Department of Environmental Services truck struck a utility pole on Phillips and Shady Avenues on July 14, 1992, charging same to Code Account No. 46, Judgments.

Which were read and referred to the Committee on Finance.

Also,

Mr. Ricciardi presented

No. 60 An Ordinance supplementing the Pittsburgh Code, Title Ten, Building, by adding Chapter 1018, Action for Possession of Rental Unit as a Drug Haven.---(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Public Safety.

Mr. Ricciardi moved to suspend Rule 8 by providing consideration of the bill only after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi:

This is a companion bill of last week's bill which was introduced on landlords and I make the motion to suspend Rule 8 so that this bill can be referred with the other bill for a public hearing.

Also,

Mr. Smith presented

No. 61 Resolution authorizing the URA of Pittsburgh to file and an application for Financial Assistance with the Pennsylvania Department of Community Affairs for a \$250,000 grant for the Glenwood Industrial Site Project. The grant will be used to assemble a site for Industrial Development. (Council District No. 5).

Also,

No. 62 Resolution authorizing

a Cooperation Agreement with the URA of Pittsburgh for the Glenwood Industrial Site, providing for the reimbursement by the City of the Commonwealth for any expenditures found by the Department of Community Affairs to be ineligible and obligating the City to pay any local share of project cost.

Which were read and referred to the Committee on Planning, Housing & Development.

Also.

The Chair presents

No. 63 Resolution providing for the issuance of a warrant in favor of Attorney Paul D. Boas, Fifth Floor, Law and Finance Building, 429 Fourth Avenue, Pittsburgh, PA 15219, in the amount of \$1,960.00 in payment for professional services rendered to City Council, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies, Equipment, etc. City Council (Index Code 100115).---(SPONSORED BY MR. FERLO, MR. RICCIARDI, MR. ONORATO, MR. COHEN, MR. DARKINS, MR. O'CONNOR & MR. SMITH)

Which was read and referred to the Committee on Finance.

Also

Communication from Mayor Tom Murphy informing Council of the appointment of Councilman Christopher A. Smith as a Member of the Board of the Urban Redevelopment Authority of the City of Pittsburgh for a term to expire December 2, 1994.

Also

Communication from Mayor Tom Murphy informing Council of the appointment of Salvatore Sarabella as the joint City-County appointee to the Board of the Public Auditorium Authority of the Pittsburgh and Allegheny County for a term to expire December 31, 1995.

Also

Communication from Mayor Tom Murphy informing Council of the appointment of Paul Hennigan as by virtue of his position of the Director of Finance as a Member of the Pittsburgh Water and Sewer Authority for a term to expire the 1st Monday of January, 1997.

The Chair:

Thank you. On the first bill--that's a warrant for Mr. Boas, the Counsel Legal attorney who filed various actions. This resolves all expenditures to date involving the Fire House zoning dispute. One portion of that bill, however, is the filing and a conditional use filing in the Court of Common Pleas that the previous Council authorized. That bill will come to the table for discussion and a vote and I ask that all Members associated with initially introducing that action act as co-sponsors of that expenditure.

The later bill's, I need a motion to receive and file, recognizing the appointments.

Mr. Smith:
So moved.

Mr. Onorato:
Second.

The Chair:
All in favor. The motion carries.

The Chair:

Is there any matter of any special committee and/or any unfinished business?

Hearing none, we will move to Reports of Committees.

REPORTS OF COMMITTEES

Mr. Onorato presents Report of Committee on Finance for January 12, 1994, with an affirmative recommendation

Bill No. 15 Resolution authorizing the transfer of \$25,000 from Code Account 1470-9 Worker's Compensation to Code Account 1461-1 Premium Pay, Department of Public Safety, Bureau of Fire.

Also

Bill No. 16 - A Resolution authorizing the transfer of \$25,000 from Code Account 1457-9 Worker's Compensation to Code Account 1443 Salaries and Wages, Department of Public Safety, Bureau of Police.

Also

Bill No. 26 - A Resolution providing for a transfer in the amount of \$39,900 from Code Account 45 Health Insurance to Code Account 53 Debt Service Auditorium Authority of Pittsburgh.

The Chair:

Is there any discussion on the bills?

And on the question. "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES: Eight NOES: None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents:

Bill No. 68 - Resolution re-appointing Paul H. Bethel as an At-Large Member of the Pittsburgh Cable Communications Advisory Committee, for a three year term to expire December 31, 1996.

Also

Bill No. 69 - Resolution re-appointing Philip Wasler as an At-Large Member of the Pittsburgh Cable Communications Advisory Committee, for a three year term to expire December 31, 1996.

Also

Bill No. 70 - Resolution appointing Jim Garrubba as an At-Large Member of the Pittsburgh Cable Communications Advisory Committee, for a three year term to expire December 31, 1996.

Also

Bill No. 71 - Resolution appointing Bud Beatty as a District 1 Member of the Pittsburgh Cable Communications Advisory Committee, for a two year term to expire December 31, 1995.

Also

Bill No. 72 - Resolution appointing Dr. Joseph Eaton as a District 3 Member of the Pittsburgh Cable Communications Advisory Committee, for a two year term to expire December 31, 1995.

Also

Bill No. 73 - Resolution re-appointing Shermon Wellons as a District 4 Member of the Pittsburgh Cable Communications Advisory Committee, for a two year term to expire December 31, 1995.

Also

Bill No. 74 - Resolution appointing Mark Gracey as a District 5 Member of the Pittsburgh Cable Communications Advisory Committee, for a two year term to expire December 31, 1995.

The Chair:

Thank you. Again, all of these appointments or re-appointments are from the recommendation of respective Council Members. Three will fill at large terms for three years. The other four will fill various District Member representations that, according to the City Code, there are five districts with various ward representation. Those four individuals will fill two-year terms. There remains one vacancy from Council District 2. When I say District 2 I mean

referencing the Municipal Code as it relates to the composition of this Cable Advisory Committee, and that's Wards 1 through 9, so we need to talk to those respective Council Members to come up with a new name. The other three are At-large positions and we still need additional recommendations.

My suggestion would be, since Council Members know these folks very well and the work of this Committee needs to begin expeditiously, in fact they have a scheduled meeting for next Monday, January 24th at 7:00 p.m. with a briefing at 6:00 p.m., that we move and accept them today so they can begin their work rather than bring them in for tomorrow. And what I would suggest, rather, is that when they hit the ground running at their first meeting we have a follow-up Post Agenda Meeting with the Committee as well as the representatives of the Mayor's Office so we can sit down at a Post Agenda and talk about the rate case that's coming up and the other matters. I think that would be more fruitful than just spending time tomorrow with a cursory interview. I'd like to recommend that we accept these folks.

Mr. Hertzberg:

I move that we accept them.

Mr. Smith:
Second.

Mr. Cohen:

Thank you, Mr. President. I will certainly support these appointments and I appreciate your leadership in putting back together this Committee. My

concern, though, is (we can talk about it now or after this) but it's really the same subject, is what this City's course is with respect to the regulation of the cable rates. I think we have done a lot of work in that area to initiate regulation of cable rates. We don't have a Director of the Cable Bureau right now and we don't really have the kind of direction that we're going to need. I understand, of course, that the new Administration needs time to be able to put that forward, but I do suggest that we send a letter to the Administration asking them what their plan is for moving towards regulation of cable television. We have legislation. We have to move forward fairly quickly on it because we're getting information from TCI and as part in parcel of this whole effort I think we need to make sure that we have a clear direction. I don't see that we have that right now.

The Chair:

I think your suggestion is well taken and we can entertain a motion at the appropriate time after we accept this. Just as an update, I spoke to Mr. Pollock, who as you know is an attorney and former Council Member and serves as special Counsel to Mayor Murphy. He assured me that he is hard at work on this task. He's been assigned the task by the Mayor to work and to brief this Committee and to hit the ground running on this whole issue of the rate case that's before the federal authorities, and I know he's interviewing and meeting with a number of individuals including one consulting group that specializes and has expertise in

this whole complicated matter of the rate case, so I think he's on top of it. He will be there on the 24th briefing this Committee. so I am confident the Administration knows that they have some immediate things they have to deal with so I will also be attending that meeting just so I can get updated. All Council Members, as you know, this is a public meeting. But I think your suggestion is well taken. We'll send that notice. I don't think we really need to vote on that. I'll send that over but I think, rather, that we need a Post Agenda to follow-up on your suggestion, so we're all clearly on line here with what actions the municipality will be taking.

Mr. Cohen:

Thank you, Mr. President. I think that we should give the Administration certainly until the 24th or after that, but what I would suggest is very soon after that meeting that Mr. Pollock or any other Member of the Administration also brief City Council as well as the Cable Advisory Committee on what their plans are.

The Chair:

I would ask the Clerk to please follow-up on that and schedule something with the Administration and please check with the schedules of each of our colleagues so we can have the maximum participation.

At this time I will call the question on the appointments.

ROLL CALL:

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES: Eight NOES: None

The Chair:

The appointments carry. Please, Clerk's Office, we will notify them this afternoon. We will notify them of the first meeting of the Cable Communications Advisory Committee here in these Council Chambers at 7:00 P.M. next Monday, January 24th. We will send them out an official notice today and I would also ask that the Clerk send them a copy of the Municipal Code that outlines the duties and responsibilities of this Committee, and they will be briefed one hour earlier than the 7:00 p.m. session at 6:00 p.m. by Ellen Claire who is the Administrator Regulations Manager of Cable Bureau, Mr. Pollock, and I believe others from the Administration will be there.

Other matters under motions and resolutions?

Councilman O'Connor:

I have a motion but before I bring it up I'd like to point out and explain the reasons. I was very shocked and surprised to read Sunday's paper in the Sports section...the headlines "Without Revenue Sharing We're Out of

Here." Well, I don't know that Mr. Sauer can speak for the whole City of Pittsburgh and we certainly support the idea that revenue sharing would certainly solve all of our problems with the Pirates and we hope and pray that it goes through, but he is speaking as an executive that's probably been in this City maybe two years, and I feel we should not take that as God's word here, that we have to roll up our sleeves and react.

Just to acquaint you with the Pirates I'm sure everybody on this Council and everybody in this City may not realize, but the Pirates generate almost 100 million dollars to the good of our economy, not only the jobs between the sports players and the ticket people, the concessionaires and all the people surrounding the ballpark, but the restaurant/hotel industry, cabs, bus drivers, the cops that direct the traffic. There's just endless amounts of people that benefit from the Pirates being in town, and I think we cannot just sit by while one person, if one idea or one plan doesn't go through, that we're going to let them walk away. And I'm taking this as a wake-up call, and I don't want to interfere with anything. I know Mayor Murphy, I've talked to him off and on and I know he is very, very concerned about the Pirates and I'm sure he has a great staff and we're all impressed with the new people coming in, and I certainly don't want to interfere with the negotiations that may be going on. But I think we've been held captive here, or hostage, by the Pirates before and I think it's time we look into long term solutions to the problem. We are a small market. We're not going

to double in populations and we're not going to double in T.V. We are going to have to come up with ideas to keep the Pirates here. What I'm suggesting in the way of a motion that we send to the Mayor requesting that he institute a blue ribbon commission with City, County and State officials to look into the long range goal and how to keep the Pirates in this City. I know there has been a lot of work by the County Commissioners and the Mayor's Office previously and is still going on. I don't know if the Governor is involved enough. If you look at other cities that are just getting teams, imagine if this was a new team that we were trying, or a new business trying to come into this City. I'll bet you the Governor and his task force would be on them everyday laying out the red carpet to bring them into this City. I think it's a state issue because there's only two major league sports teams. On the east side we have Philadelphia and on the west side we have us. This is a very regional asset, much more than Allegheny County. I know people come from Erie, Altoona, and take trips to visit our City because of the Pirates. We just can't leave any rocks unturned and I would request in a way of a motion, and I'll pass it out, that the Council of the City of Pittsburgh direct the City Clerk to send a letter to the Mayor requesting that he establish a commission which would include representatives from the City of Pittsburgh, the County of Allegheny and the State of Pennsylvania. The purpose of this Commission would be to formulate for the express purpose of presenting a plan or plans of action which will further the

efforts and ensure that the Pittsburgh Pirate Baseball Club will remain in the City of Pittsburgh.

The Chair:

Is there a second to the motion.

Mr. Onorato:

Second on the motion.

I support Councilman O'Connor's motion and I'd just like to add, in support, that its time that this City Council, along with the Administration, get together and speak as one voice, also speaking with the County and with the State.

Councilman O'Connor is absolutely right. If you look at some of the other cites, and I know two just off the top of my head. For example, Chicago, when the White Sox were ready to leave, these sports franchises are so important now for generating business and keeping your city a first class city, that they went to the State Legislature to build a new stadium. In Cleveland, they had an actual County tax. The County all pitched in to keep the Cleveland Indians there. So regardless of what your personal feeling is on using tax dollars to keep these franchise in your city, the fact is every city right now is licking their chops right now and is dying to get a major league baseball team in their city. There's probably cities lined up right now hoping the Pirates would move. We have to face that reality and we have to recognize the benefits that come from having a major league baseball team in

this City. I don't think there's any one here who would want to lose the Pirates--I'm sure of that, and I don't think anyone here would say that it's just the City's responsibility. It's time that we sit down and that we stop arguing amongst ourselves and the paper and on T.V. and on the media and that we get a plan together and we move forward speaking as one voice, recognizing that the Pirates are a very important asset to this City. It keeps us a first rate city and that we move immediately. Therefore, I am in full support of Councilman O'Connor's motion.

Mr. Cohen:

Thank you, Mr. President. I also support Mr. O'Connor's motion and obviously the thrust that we should do everything and anything in our power to keep the Pirates here. I think the first step is that we have to put down our dukes and sit down to discuss the future of the Pirates together, and not to have law suits between the Stadium Authority and the Pittsburgh Pirates or between the City and the Pirates or between City Council and the Mayor's Office, but rather to try to work together towards a solution. That having been said, I do think that Mr. Sauer's comment in the paper was a reckless comment because it ignores the fact that we, together in Pittsburgh, the citizens of Pittsburgh, have done everything in the past to keep the Pirates here, and we'll do everything in the future. Mr. Sauer does not own the Pirates and therefore I don't think speaks for the ownership of the Pirates. A lot of things are being done right now to make sure that we continue to have a baseball franchise in this

City, including a brand new five million dollar score board which is going to be in place hopefully by opening day next year. There's going to be a whole new facelift on the Stadium, one that I think people will really enjoy. So a lot is being done the on Stadium side and I think that we need to have this type of Commission to move ahead to look at the financial possibilities for the Pirates. Apparently Mr. Baldwin is looking at a possible share of the Pirates and I'm sure there are other potential investors out there. If revenue sharing doesn't go through, then we've got to look at Plan B to keep the Pirates here. I don't think that it's a responsible thing to say that if at the national level they don't have revenue sharing then we lose our baseball franchise. What happens at the national level is relevant, but not the ultimate determinant of what is going to happen to the Pirates, and if the other baseball owners decide not to have revenue sharing, we can't just throw up our hands and say goodbye Pirates. We've got to then do everything we can to keep them here. So I support Mr. O'Connor's resolution and to have a blue ribbon commission and to look at all the options if revenue sharing doesn't go through.

Mr. Ricciardi:

Thank you, Mr. President. After listening very carefully to Mr. O'Connor, I believe his arguments on the importance and the need of the Pirates to remain here in the City of Pittsburgh are very sound. The only question that I have, obviously because of the dynamics of the process including what is going on now of

the baseball teams looking for revenue sharing and this Administration working very closely with the Pirate organization to hopefully stop any lawsuit, but the only question I have, Mr. O'Connor, is that your bill here, or your resolution, is requesting that the Administration set up a commission with certain individuals sitting on that commission. I would think before we vote today, if we would have the ability, Mr. O'Connor, or if you would have a chance, I know we just spoke fifteen minutes before this hearing, should we, before we pass this today, speak to the Administration and maybe you personally could speak to Mayor Murphy to see if this in any way is premature to the developments in the past, only because of the new spirit of cooperation that is going through the entire City of Pittsburgh initiated by Mayor Tom Murphy.

Mr. O'Connor:

I think I've left it very open, and this is something I don't want to force on the Mayor. I think it's something when I highlight the three--I would like three representatives and it's only a suggestion on my part, would be three City appointees, three County and three State. I think I've left it very broad that it should be his commission and he should Chair it. He has new economic development people, Mr. Fox, Sal Sirabella, who I am very impressed with that I think could lead this type of Commission. I don't want to put names down. I think that would be up to him. One of the quotes in here from Mr. Sauer's is that "it is my job to prepare people for the bad." Well, even if he's right we're not

going to accept that and I think that hopefully the Mayor, besides his day to day workings with this, would look at an outside commission to advise him of long range plans of how to keep the Pirates here. I would suggest that he would put entrepreneurs on there. I've worked with entrepreneurs. So far, what we're hearing from CEO executives, well when entrepreneurs are in a corner, that's when they do their best work. I think the answer that we're getting from the Pirates is one that we don't like and we can't accept, and I would ask him, again he has time--I didn't put deadlines on it, that he would have time to set this up. Hopefully at the end of the week we get a better answer from the National League that it will go to revenue sharing and that we wouldn't need this, but I think it's time that he and we get together and start really planning for our future, because if things don't go right, he and us, the Mayor and Council, are sitting here holding the bag and I don't think we should wait till the last minute for it.

Mr. Ricciardi:

I guess Mr. O'Connor, we've been serving together I believe for two years, and I've supported I think 100% of all of your initiatives. My only concern with this is that there's so many players, and no pun intended, involved in this. We have the CEO'S as you have stated, we have the Pirate management team, we have the Mayor's Office, the County Commissioners, and as you mentioned even the Governor himself. My only concern is that we're sending a letter almost in a vacuum without proper discussion

with either Mayor Murphy, Commissioner Foerster, Flaherty and Dunn, maybe the Governor's Office, and just sending this letter sort of almost shooting from the hip. Again, I've supported 100% of your initiatives and I hope you do see what some of my concern is--passing a resolution of this sort without proper communication between all of the actors and all of the players involved and then passing the resolution. Hopefully you see my concern.

Mr. Hertzberg:

This motion that I have in front of me, this written document from Councilman O'Connor is far different than what I read in this morning's Post Gazette and I had some serious concerns about any kind of a paid commission. I think we have people that are already paid in the City of Pittsburgh and the County of Allegheny and in the Commonwealth of PA to do this kind of work, and that includes support staff. I think we have a number of entrepreneurs so to speak that are very interested in keeping the Pirates and that make a substantial living off of things like the Pirates. But as it stands, this particular motion just requesting that the Mayor establish a commission is fairly innocuous as I see it and I'm in favor of the motion.

The Chair:

Let me just add a couple of comments. First of all, I think the first wake up call, and I certainly appreciate Mr. O'Connor taking the lead in bringing this issue to Council today, but I think all of us when we read the

paper over the weekend were certainly upset at Mr. Sauer's comments. I was hoping that that was just posturing in recognition of a vote coming up on revenue sharing and baseball and that that's part of his Public Relations campaign. I don't know if that's the case, it's certainly my hope, but I think clearly the first wake-up call with the Pirates came a long time before Mr. Sauer's weekend's comments. It came at least a few years ago when the City had to, what the City will probably spend about 16 million dollars on the bond issue for the initial 21 million dollar bond issue that the City entered into in order to "save the Pirates" so there have been a number of wake-up calls in relation to wanting to preserve the Pirates here in Pittsburgh long before the weekend's comments. I think Mr. O'Connor is correct. He points out that the problems associated with keeping the Pirates here and just making baseball successful in this City are a lot deeper than just the issue of revenue sharing. There are a lot of other complicated issues that have to go into the economic viability of keeping the Pirates here.

I just have one reservation about the motion that's being made. I really think that what we need, rather than this notion of a commission at this time, is a face to face briefing by Mayor Murphy and his Administration as to what activities the Administration is involved in right now immediately in terms of re-opening a new line of communication with the Pirate organization. In addition, what steps will they take should the inevitability of some notion of the attempt to move this team out

of here. Again, I would remind Mr. Sauer that other colleagues have also and that is that we are a significant owner of that corporate organization. I think we have a new Mayor who has only been in office for a couple of weeks. I think clearly everything that he's been about, he's been about hitting the ground running from what I can see. He's not coming from left field. So far the Mayor hasn't committed any errors and he hasn't even knocked any foul balls out of the ballpark. I think that rather than being in the grand stand I think we need to be team players on this point, and I have no problem with the resolution but I think it's a little bit off centered in terms of really what we need to do right now. I really think we need to be briefed by the Mayor on his negotiations. He's alluding to a number of commitments to the Pirate organization in terms of the viability of the Stadium, things that the previous Administration failed to complete--construction projects. Mr. Cohen mentioned the commitment relative to the score board. I have no problem with the resolution but I think that it's sort of going off into a tangent rather than first being briefed and recognizing at some point that some of these negotiations need to be made by the Executives of City government, by the Mayor, attracting certain people who have certain financial resources. So, that's my one reservation about the resolution. I would prefer to see a briefing first before we concoct any notion of a Standing Committee or a commission or what have you, but I appreciate that the issue is being brought to this body today.

Mr. Cohen:

Perhaps a friendly amendment would be that we do that, that the motion be, this is just a suggestion for an amendment. Mr. O'Connor--you can accept it or not, but that we sit down with the Mayor's office in a Post Agenda and discuss matters relating to the future of the Pirates as well as the establishment of a commission. I think that that might well be an appropriate first step.

Mr. O'Connor:

I'll accept that as a friendly amendment and I do think the Mayor has hit the ground running or skiing and he's got his hands full right now. I just want to clarify one of the comments in the paper stated a "paid commission." The question asked of me was, "would it be appropriate to pay anyone?" and I didn't think it was necessary either, but the Governor's Task Force for Economic Development has paid staff and if we would need such a person the State has the funding to do this. One of the things I'm just throwing on the table, and again I'm certainly willing to meet with the Mayor about it, is this Commission or this group, and he probably already has it in place, is to visit other cities. We're not in this alone. One of the suggestions just talking to some friends came up with sharing the Pirates with a southern city. Bradenton has our spring training for six weeks. What if they would go to Tampa, St. Pete, for the month of April and part of May and maybe draw a million people and then come up here for the rest of the summer and fall. Imagine it would open up two T.V. markets

that would follow each one. It may be crazy or it may be ingenious. I don't know. But these are the types of things I would look for when I say representatives should be sitting down, outside entrepreneurs who know how to think up these types of ideas, and I don't think we should leave one rock unturned. I certainly support everybody whose trying but the answer so far, we have not come up with the right answer for solving the problem.

The Chair:

But again, I just want to clarify. I respect what you have just outlined and I indicated my one reservation. I just don't want to be working at cross purposes and I think we are operating a little bit in a vacuum by not knowing what the Mayor and his staff have been involved in. I think first we should know that, see if it meets your mandate here of the kind of enthusiasm and the breath of energy of ideas that we need and at that point start talking about some other creation of some entity. I think we at least need to know from the new Administration what their activities and energies are to date.

Mr. Ricciardi:

I think that's what Mr. Cohen has initiated here and I want to make sure I understand the resolution before us, Mr. O'Connor. Basically, the resolution will now read that we are requesting a Post Agenda with Mayor Murphy and among the particulars to be discussed is the discussion to establish a commission. Was that the friendly amendment? So that changes it

from a mandate to establish a commission that that would be one of our discussions. Is that correct?

Mr. O'Connor:

I would accept that as a more positive working commission.

Mr. Ricciardi:

I thank you for that and again I thank Mr. O'Connor for his initiatives and I could support the motion before us today with that change.

Mr. Cusick:

I would just like to say that I applaud you, Mr. O'Connor, for bringing this motion to the table. I do feel that this is something that we all knew was coming up at some point and that it probably, a prior Council should have thought of these ideas, but I also agree with my colleagues Mr. Cohen, Mr. Ricciardi, as in the way we should put this commission together in sitting down with the Administration and talking about how this should be done. I think that's very important too.

The Chair:

Any other discussion on the motion? Call the question. All in favor of the recommendation.

The motion is unanimous.

Mr. Smith:

Please note that I abstain because I have not received a written copy of the motion.

The Chair:

Let's have a roll call vote.

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Ferlo, President

NOES:

ABSTAIN: Mr. Smith

The Chair:

Any other issues to be discussed?

Hearing none. I would like to have a motion to approve the minutes.

Mr. Onorato:
So moved.

Mr. Cohen:
Second.

Mr. Cohen:
Motion to excuse the absent members.

Mr. Cusick:
Second.

Mr. Hertzberg:
Motion to adjourn.

Mr. O'Connor:
Second.

And on the motion of Mr. Hertzberg. Council Adjourned.

M U N I C I P A L R E C O R D

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

January 25, 1994

No. 4

Municipal Record

**ONE HUNDRED
TWENTY-EIGHTH COUNCIL**

JIM FERLO President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
January 25, 1994

PRESENT:

Mr. Cohen
Mr. Cusick
Mr. Darkins
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

ABSENT:

The Chair:

Would you all please rise for the pledge of allegiance and would you please remain standing for a moment of silent prayer.

We are pleased this morning to have two students from Fort Pitt Elementary School. We have Thomas Day from Garfield. Thomas has a co-partner, Angela Beck, from Lawrenceville, and they are both fourth graders from Fort Pitt School and they are here today with Miss Kissinger, their art teacher.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Thank you Thomas and Angela. We appreciate you coming down today, all the way from Fort Pitt School, and we appreciate the school for participating in this effort.

At this time we have a number of proclamations and a number of honored guests in the audience. At this time I'd like to call on Councilman Ricciardi who has a guest here this morning and they have some time problems and constraints and we'd like to bring them up first.

Mr. Ricciardi:

Thank you Mr. President. colleagues. At this time I'd like to ask Reverend Jonathan Linman and

some of our church members, Lil Miller, Ernadine and Katherine Sinning, if they would please come forward. Colleagues, I'm very proud to present this resolution today. Not only has our church carried on their ministry in the Allentown neighborhood and surrounding neighborhoods, but they've also been very supportive of many community initiatives in the Allentown and abutting neighborhoods and that was all under the leadership of Reverend Jonathan Linman, so this is a very important and special resolution.

Mr. Ricciardi presents:

Bill No. 75 - WHEREAS, on January 31, 1894, seventeen heads of families signed a resolution formally organizing the Bethlehem Evangelical Lutheran Church; and,

WHEREAS, a small frame church building located in the 700 block of Excelsior Street in Allentown was purchased by the congregation in July and dedicated for worship on August 19, 1894; and,

WHEREAS, in 1916 it was decided a new building was needed and the current home of the Bethlehem Lutheran Church at 731 Excelsior Street was completed and dedicated on October 22, 1916; and,

WHEREAS, for 100 years Bethlehem Lutheran Church has been a stable force in Pittsburgh's Allentown neighborhood, ministering first to the needs of immigrants from Germany and now to a more diverse population with a commitment to embrace the residents of the Allentown community with service and opportunities for worship, education and fellowship; and,

WHEREAS, under the leadership of the current pastor, Reverend Jonathan W. Linman, Bethlehem Lutheran Church has taken a leadership role in addressing the social problems of Allentown and the surrounding communities and looks forward to entering a new century in a position of strength and vitality to continue its commitment to Allentown and the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and commends the Bethlehem Lutheran Church on its first century of service to its congregation and the Allentown Community and declares Monday, January 31, 1994 "Bethlehem Lutheran Church Day" in the City of Pittsburgh.

On the motion of Mr. Ricciardi, the Resolution was approved.

Reverend Linman:

No twenty minute sermon here. Just to say thank you very much. Our ministry, really in the last five years, has been marked by building bridges and networking and reaching out beyond our four walls, to build bridges, not just to other churches but to agencies within the City of Pittsburgh. We offer an afterschool program for grade school children in our neighborhood. We've taken a leadership role in developing a block watch, but within the last year the Beltzhoover-Allentown-Knoxville Community Leader's Coalition has been developed, which is a coalition of community leaders which seeks to move beyond traditional institutional neighborhood racial boundaries to address, in common, the problems

of our community. We reach out to the senior center, the senior hi-rise, with worship and service, involvements with the other churches, not just Lutheran but Roman Catholic and Methodist, and offering, co-sponsoring with the South Hills Interfaith Ministry's Day Camp in the summertime, the Parish Nurse Program at Mercy Hospital. We're very, very involved in service and we thank the City of Pittsburgh for honoring us in this way, as we continue to serve, and we hope that this will be a shot in our arm and inspiration as we celebrate our Anniversary. Thank you very much.

The Chair:

Ladies, would anyone like to say a few words?

Reverend Linman:

These are some of our magnificent volunteers. All of them are Administrative Counsel and help with the afterschool program. They alter guilds, sing in the choir, do this and that and we thank them. You know, they really are the congregation. Our work would not be possible without them.

Reverend Darkins:

First of all I didn't get the chance and opportunity to mention to you, when I visited your church and your women were so nice to me. I will never forget the spaghetti dinner that we had there that day and I think you are doing a tremendous job in that area. For a young man to come in and to set such an incentive that you have placed there and the members of this congregation, that you will continue to be successful and

I hope that on the 31st of January for the big celebration, the Lord is willing and my health provides me to do so, I'd like to come back and visit you again, because you're doing a good job up there.

Councilman Hertzberg:

I'd like to ask Brandon Christian to come forward. This resolution that I am going to present to Mr. Christian is to honor one of the most heroic acts that I've seen recently. What Mr. Christian did was--he went into a burning home, risked his own life, and rescued a five year old child out of that home. The five year old child was in critical condition in Mercy Hospital. We've been informed now that that story seems to have a happy ending. The child is in good condition now and ready to come home.

Councilman Hertzberg presents:

Bill No. 76 - WHEREAS, on Thursday, January 13, 1994, Brandon Christian, while walking near his home in Westgate Village, located in the 28th Ward of the City of Pittsburgh, Allegheny County, PA; and

WHEREAS, Brandon Christian saw smoke coming from a house at 585 Village Road, and because he was curious enough to go and investigate why, heard a little boy crying inside; and

WHEREAS, Brandon Christian realizing the immediate danger the child was in, kicked in the front door and rushed into the home, only to be driven out by smoke; and

WHEREAS, Brandon Christian knowing

he had to rescue that baby, and without concern for his own welfare, risked his life when he re-entered the house with water-soaked towel covering his head; and

WHEREAS, Brandon Christian found the little boy on the second floor by calling out to him and carried him from the burning house; and

WHEREAS, Brandon Christian SAVED the life of that 5 year old boy named Brandon Johnson;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby pay tribute to Brandon Christian for his courage and unselfishness to his fellow man, and we extend our heartfelt thanks for his outstanding contribution to his community.

BE IT FURTHER RESOLVED, that Tuesday, January 25th, is declared Brandon Christian Day throughout the City of Pittsburgh.

On the motion of Mr. Hertzberg, the Resolution was approved.

Mr. Hertzberg:

Thank you for coming in, Mr. Christian.

The Chair:

Brandon, on behalf of all of Council, we want to extend our thanks and certainly the family wants to thank you.

Mr. O'Connor presents:

WHEREAS, the American Culinary Federation Pittsburgh Chapter, was originally founded in 1944, as "The Chef's Association of

Pittsburgh", by the following twelve members:

Abel Bomberault
Dino Nardi
Lucien Chene
Douard Panchard
Albert Gasnier
Otto Spielbickler
Albert Guilloteau
William Wagner
Paul Laesecke
Joseph Winkelman
Peter Massot
Gaston Zimmerman; and,

WHEREAS, the American Culinary Federation Pittsburgh Chapter has since expanded to over 600 members, many of whom are known internationally as superior chefs, and have played a crucial role in helping Pittsburgh to gain European culinary recognition and respect; and,

WHEREAS, the American Culinary Federation Pittsburgh Chapter takes particular pride in its Junior members, from the Pennsylvania Institute of Culinary Arts, the International Culinary Academy, the Allegheny County Community College Chef Apprentice training program, and the Bidwell School's culinary training program.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the American Culinary Federation for its important work in contributing to the culture and reputation of Pittsburgh, and declares January 22, 1994, to be "American Culinary Federation" day in the City of Pittsburgh.

On the motion of Mr. O'Connor, the Resolution was approved.

Mr. Onorato:

At this time I'd like to call a few people forward. Everyone here with the Perry Hilltop South Food Bank--Kevin Thomas, Sister Fabian, Jack McGinley, Maury Lertz, John Ungerman, Clarence Ungerman, Bruce Clay, Tom and Pat Scheller. If there is anyone out there that I missed, please come forward if you are associated with the Food Bank.

As everyone is walking forward, and before I read the proclamation, let me just say, this is one of the groups that City Council funds through the grants and donations and the CDBG dollars. There's been a lot of controversy and discussion in the papers and I made a comment back then and I'll stand by it now, that it's a good process. The money goes to good groups, and if the City tried to pay for the services that these volunteers provide, we couldn't afford to do what these individuals do. We get a big bang for our dollars and I would hope that the process continues, that it remains open and that the volunteer groups continue to be funded in the future.

I would also just like to mention before I read that there is an individual by the name of Odelia Thomas who was supposed to be here today who was extremely sick and unfortunately passed away yesterday. Her son is here today who was very active in this food bank over the years in helping to feed a lot of hungry residents on the North Side. Let me read the proclamation. It was drafted obviously before the sad news we heard yesterday.

Mr. Onorato presents:

Bill No. 78 - WHEREAS, Ms. Odelia Thomas, President of the Perry Hilltop South Food Bank, assisted and directed the efficient operation of the food bank and devoted thousands of hours to assure that hungry residents of the North Side would be fed; and

WHEREAS, Ms. Odelia Thomas sacrificed much personal time and energy performing acts of charity related to the Perry Hilltop South Food Bank; and

WHEREAS, Mr. Bruce Clay, a devoted Senior Volunteer has consistently worked to help support the food bank; and

WHEREAS, Mr. Clarence Ungerman, has helped the food bank from its inception and has for over a decade been involved in aiding the food bank in operating smoothly; and

WHEREAS, Pastor Thaddeus Madia, Parochial Vicar, Scott P. Mages, Parochial Vicar, Robert Coyne, Sister Fabian Hungerman, OSB and the parish of St. Theresa of Avilla have generously supported and assisted the Perry Hilltop South Food Bank; and

WHEREAS, Pastor William Bovard, Parochial Vicar Paul Merkovsky, The Christian Community Life Committee, Chairman of the Committee Tom Scheller and his wife Pat, the parishioners St. John Neumann Church and the North Suburban Builders who have "adopted" and supported the Perry Hilltop South Food Bank; and

WHEREAS, these people have, for over a decade through their

unselfish and self-sacrificing energy, ensured that thousands of hungry men, women, and children would be fed and helped to sustain them through moments of personal crisis; and

WHEREAS, their presence has ensured smooth and efficient operation of the Perry Hilltop South Food Bank. This has been done with great self-sacrifice and God-like charity;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh extends its thanks to all those involved in the humanitarian work of the Perry Hilltop Food Bank, including financial, emotional, physical, and spiritual aid, and for all their works of Mercy.

FURTHER, BE IT RESOLVED, that due to all her charitable works and tireless efforts, Tuesday, January 25th, is declared Mrs. Odelia Thomas Day throughout the City of Pittsburgh.

On the motion of Mr. Onorato, the Resolution was approved.

Mr. Onorato:

Speaking on behalf of all of my colleagues too, our sympathy goes out to the family of Mrs. Thomas. I've known Mrs. Thomas, not just from the Food Bank, but this is also the parish where I went to grade school and a lot of the individuals mentioned today I've known my entire life. It gives me great pleasure to recognize everyone here today. At this point I'd like to have Kevin Thomas come forward to say a few words about his mother and we will ask anyone else to talk about the Food Bank.

Kevin Thomas:

This is a bitter sweet thing for me. We kind of had many arguments because she was very, very involved and spent many hours at the Food Bank and a lot of times, I said "mom, you're neglecting your health, you're worrying about everybody else but yourself." I said, "you know, this is tough on me." She wasn't that well all my life but just recently, when she was in the hospital, I said to her, "you know I was really upset when you took over as the President of the Food Bank," and I said, "gee, it's kind of the end," and she said, "well, it made me very happy." I said, "well, if that's what you feel is necessary, that's fine." But all of my life I would come home and there would be people sitting at our table--strangers--and she'd be feeding them dinner. So, this is like a bitter sweet event but I thank you for the proclamation and I hope someone else carries on her work.

Mr. Onorato:

At this time, I'd like anyone else who would like to say a few words to come forward. I want to recognize that we do have John Ungerman who is also a city fireman here this morning.

On behalf of the Food Bank, I will say once again that if you look at the individuals here who give out food every Thursday, you can be proud and you can stand behind the dollars and the groups that we fund. This is a very good group and it's a group that provides a service that is unbelievable for the small amount of money that we put into it. I want to personally thank Mrs.

Odelia Thomas' family and everyone here today and the people that aren't here today that participate every week. So thank you very much for all the help your provide the North Side.

Mr. Darkins:

Councilman Onorato. I'd like to ask a question. How many families do you accommodate weekly or monthly? Can someone tell me that?

Volunteer:

500 a week.

Mr. Darkins:

So you're talking 2,000 a month. Other than Councilman Onorato, with the support of what he is giving your group, where does your main source of your commodities come from? Is it from the Greater Pittsburgh Food Bank? Is that your main source?

I ask these questions, you know. because, I run a food bank, and I take care of 900 families a month.

Mr. O'Connor:

On behalf of all Pittsburghers, I want to thank you and especially our condolences for your mother and all the hard work that she and all of you have done. and I think it's really amazing that all the different age groups, the different religious groups, the different color groups, can come together for such a good cause and I think you are a model for all of us to follow. Thank you very much for all that you do.

Mr. Darkins:

I also want to convey my deepest sympathy, and say to you that your loss is heaven's gain, and you have to continue to keep in your mind that even though this was not your desire for your mother to do, she worked out, she didn't rust out, she worked out till the end.

The Chair:

Councilman, and to the family, before you leave, I'd like everyone to please rise at this time for a brief moment of silent remembrance for the life work and the contribution of this wonderful lady.

I'd like to also recognize Mona Murphy who is in the audience today. She's also here to show respect and to offer her condolences to the family. Mona, we'd like to welcome you to Council Chambers once again.

At this time we move to Presentation of Papers.

Mr. Cohen presented

No. 79 - Resolution providing for a Contract or the use of existing Contracts to purchase flame-fighter penetrating nozzles and accessories for the Department of Public Safety, Bureau of Fire. The purpose for purchasing these nozzles and accessories is to fight fires in concealed spaces, at a cost not to exceed (\$17,000.00) dollars, chargeable to and payable from Code Account 1464..

Which was read and referred to the Committee on General Services.

Mr. Cusick presented

No.80 - Resolution amending Resolution No. 1455, effective January 1, 1994, entitled "Adopting and approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program; and approving the 1994 through 1999 Capital Improvement Program," by providing 1994 funding for the Zoo Master Plan Implementation.

No.81 - Resolution providing for the issuance of a warrant in favor of the Zoological Society of Pittsburgh in the amount of \$400,000.00 for Various Capital Improvements; and providing for the payment of the cost thereof, charging the same to Code Account EC 94-98, 3-13-60-1230-94, Index Code #872002.

Mr. Cusick moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Which motion prevailed.

Also,

No.82 - Resolution providing for the issuance of a warrant in favor of Pugliano Construction Company in the amount of \$80,603.00 in partial payment of an Emergency Contract for the construction of a Retaining Wall for Calera Street, located in the 31st Ward, 5th Council District; and providing for the payment of the cost thereof.

Also,

No.83 - Resolution providing

for the issuance of a warrant in favor of Thompson Construction in the amount of \$122,424.50 in partial payment of work performed on the Construction of EMS Station #10; and providing for the payment of the cost thereof.

Also

No.84 - Resolution providing for the issuance of a warrant in favor of Golden Triangle Construction Company in the amount of \$117,391.07 in payment of the City-County Building Sidewalk Construction; and providing for the payment of the cost thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 85 - Resolution further amending Resolution #586, effective June 18, 1991, as amended by Resolution #807, effectively June 28, 1993, entitled "Providing for a Contract or Contracts, or use of existing Contracts, and/or Agreement/s, or use of existing Agreements, for Renovations within the City-County Building, including electrical service and switchgear; and providing for the payment of the cost thereof," by decreasing the total project allocation by \$117,391.07 from \$750,000.00 to \$632,608.93.

No. 86 - Resolution providing for a Cooperation Agreement or Agreements with Vintage, Inc., a non-profit corporation, for the City's share of site preparation for an addition to the facility on Highland Avenue; and providing for the payment of the costs thereof.

Which were read and referred to

the Committee on Engineering and Construction.

Also,

Which motion prevailed.

Also,

Mr. Darkins presented

No. 87 - Resolution providing for a Contract or Contracts, or the use of existing Contracts for a playground hazard analysis throughout the City of Pittsburgh and providing for the payment of the cost thereof, at a cost not to exceed Forty Thousand (\$40,000.00) Dollars, chargeable to and payable from Code Account 3-01-40-0054-94, Index Code 875682.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Which motion prevailed.

Which were read and referred to the Committee on Public Works.

Mr. Cohen:

If we could ask for and have by tomorrow the resume of the person that they are selecting for the playground safety work, that would help us to ask questions tomorrow.

Mr. Hertzberg presented

No.88 - Resolution amending Resolution No. 1399, approved December 14, 1993, entitled "A Resolution authorizing and directing the Mayor and the

Director of Parks and Recreation to enter into a Lease Agreement with the Zoological Society of Pittsburgh in connection with the taking over the zoo operations by the Zoological Society of Pittsburgh of an amount not to exceed \$2,850,000 during the term of the Lease," by correcting a typographical error in the title which specified the amount of funds to be expended and by specifying a code account through which payment should be made.

Mr. Hertzberg moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Which was read and referred to the Committee on Parks and Recreation

Also,

Mr. Onorato presented

No.89 - Resolution authorizing the City to incur lease rental debt in an amount not to exceed \$6,000,000.

Mr. Onorato moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced.

Which motion prevailed.

Also,

No.90 - Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania for refund reimbursements received from

Western School of Health and Business Careers, Inc. in connection with two SPOC participants who withdrew from training under a contract agreement that ended June 30, 1993. The total warrant will not to exceed one thousand three hundred twenty three dollars and seventy six cents (\$1,323.76) chargeable to and payable from the JTPA-1 Trust Fund, index code 260307.

Also,

No.91 - Resolution authorizing the periodic issuance of warrants of the Commonwealth of Pennsylvania to pay the City of Pittsburgh JTPA Program's share of the statewide on-line computer system cost for the period July 1, 1993 through June 30, 1994. The total of the warrants will not exceed thirty one thousand seven hundred fifty two dollars (\$31,752.00).

Also,

No.92 - Resolution providing for an Agreement with Dickie, McCamey & Chilcote, P.C. for professional services for the City Controller, in the amount not to exceed \$75,000.00, chargeable and payable from Code Account 1048, Index Code 104802, Miscellaneous Services, Department of City Controller.

Also,

No.93 - Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were read and referred to the Committee on Finance.

The Chair:

I believe this bill is on the tax exempt financing proposal and again, if we waive rule 8, I did ask for some written information from the Administration regarding a cost benefit analysis statement. I think other colleagues have asked for some written information prior to tomorrow's discussion.

Mr. Ricciardi presented

No. 94 - Resolution authorizing and directing the Director of the Department of Public Safety to conduct a study of homicide activity in the City of Pittsburgh within ten days of the final passage of this resolution---(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Public Safety.

Also,

The Chair presented

No. 95 - Resolution providing for an Agreement or Agreements designating property to be used as the site for the erection of the Korean War Veterans of Western Pennsylvania Memorial monument, and authorizing an agreement grant a license to enter the land therefore.---(SPONSORED BY MR. FERLO, MR. COHEN, MR. CUSICK, MR. DARKINS, MR. HERTZBERG, MR. O'CONNOR, MR. RICCIARDI AND MR. SMITH)

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 96 - Resolution

authorizing and directing the Director, Department of Public Safety, to grant a reward from the Graffiti Trust Fund.---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Public Safety.

Also,

No.97 - Communication from Ronald A. Mussman, Comptroller, Allegheny County Sanitary Authority, submitting a list of the Authority's personnel as of December 31, 1993.

Which was read, received and filed.

UNFINISHED BUSINESS

The Chair:

At this time, under unfinished business, we do have the approval or disapproval of one of the Directors, Faith Gallo, the Director of Parks and Recreation - Bill No. 44. At this time I would ask the Clerk to please read the appointment.

Bill No. 44 - Resolution appointing Faith P. Gallo as the Director of the Department of Parks and Recreation.

Mr. Smith:
Motion to approve.

Mr. Cohen:
Second.

ROLL CALL VOTE:

Ayes:
Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor

Mr. Onorato
Mr. Ricciardi
Mr. Smith

Noes:
Mr. Darkins

Abstain:
Mr. Ferlo

AYES: 7 NOES: 1
ABSTAIN: 1

The Chair:

The motion carries and we are pleased to have Director Gallo with us.

REPORTS OF COMMITTEES

Mr. Onorato presented:

Report of the Committee on Finance for January 19, 1994, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 27 - Resolution providing for the issuance of a warrant in the sum of \$3,850 to Rose Ann Kulwicki in full and final settlement of the action filed at 06335-92 alleging property damage sustained due to a sewage back-up in their basement between November 1990 and March 1991.

Which was read.

Bill No. 28 - Resolution that the City Controller be and is hereby authorized to transfer the sum of \$10,000 from CA 1046-1 Premium and 1048 Miscellaneous Services, to CA

1046 Salaries, Regular and Temporary Employees.

Which was read.

Bill No. 29 - Resolution amending Resolution 754. Item F, effective July 2, 1992 which authorized the sale of a vacant lot 40.17' x 60.96' x 73' known as 1440 Sandusky Street, 25th Ward, Block 23 G, Lot 155, to James G. Bistolas and Mary Anne Bistolas, his wife, for the sum of \$350.00. The reason for the resolution is to change the name of one of the parties from whom the property was required from Zendel, Mary R. to Zendel, Martin R.

Which was read.

Also,

Bill No. 30 - Resolution providing for the conveyance by the City of Pittsburgh of certain property under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act" effective December 11, 1984.

Which was read.

Also,

Bill No. 31 - Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act 171 of 1984, "Second Class City Treasurer Sale and Collection Act" effective December 11, 1984.

Which was read.

Mr. Smith:

On Bill 31 - I have a motion to delete two pieces of property, A and B. They are in a part of

the URA Rehab District and should not have been put on the open market for sale as side yards. The Finance Department contacted me the next morning after our meeting and said that it was an error and would I please motion to delete.

The Chair:

Do you have the motion in writing?

Mr. Smith:

No Sir.

The Chair:

Is there a motion to suspend the Rules to permit Mr. Smith to make this motion without written notice.

Mr. Cohen:

So moved.

Motion has been seconded. Any discussion?

Mr. Hertzberg:

Has the purchaser been notified of this situation?

Mr. Smith:

No sir. They will be notified after our action.

The Chair:

Any other discussion. All in favor of this deletion and amendment shall signify by aye.

The amendment stands.

Also,

Bill No. 32 - Resolution providing for the issuance of a warrant in

favor of Public Strategies, Inc. in the amount of \$1,000 in payment for professional consulting services rendered to Councilman Gene Ricciardi for the month of January, 1994.

Which was read.

Also,

Bill No. 54 - Resolution authorizing the issuance of a warrant in favor of the Pittsburgh Sports & Festival Federation in the amount of fifty thousand dollars (\$50,000) in payment for services provided to the City of Pittsburgh, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which was read.

Also,

Bill No. 55 - Resolution transferring the amount of \$29,000 from CA 1803 Utilities, Parks and Recreation, to CA Senior Citizens Program Trust Fund, in the Department of Parks and Recreation.

Which was read.

Also,

Bill No. 56 - Resolution transferring the amount of \$70,000 from Code Account 1843, Senior Citizen Program, to CA Senior Citizens Program Trust Fund in the Department of Parks and Recreation.

Which was read.

Also,

Bill No. 57 - Resolution providing

for an agreement/s with a consultant to assist the City of Pittsburgh in the City Information Systems Office at a cost not to exceed \$8,850.00.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question. "shall the bills pass finally?"

The ayes and noes were taken agreeable to law, and were:

Ayes:

Mr. Cohen
Mr. Cusick
Mr. Darkins
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES: 9

NOES: NONE

The bills, having received the legally required number of votes, have passed finally.

Councilman Darkins presents:

Report of the Committee on Public Works for January 19, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 19 - Resolution granting unto Cleo Moone the privilege and

license to construct, maintain and use at her own cost and expense, a portion of a retaining wall and parking pad in the right-of-way of Jordan Way in the 11th Ward.

Also,

Bill No. 20 - Resolution authorizing the Mayor and the Director of Public Works to provide a license agreement with the Port Authority of Allegheny and the Commonwealth of PA to provide for the installation of a pad by the City of Pittsburgh within the right-of-way of Ohio River Boulevard at the Termon Avenue ramp in the 27th Ward.

Also,

Bill No. 21 - Resolution authorizing the Director of Public Works to provide a license agreement with Duquesne Light Company to install one pole on city-owned property on Central Avenue in the 27th Ward.

Also,

Bill No. 22 - Resolution vacating Copely Way between Idlewood Avenue and Bert Way in the 28th Ward. A fee of \$400 is being charged for this vacation.

The Chair:

Is there any discussion?

Hearing none, the bills are ready for final action.

All those in favor of the bills will vote aye when their names are called; those opposed will vote no.

ROLL CALL:

Ayes:

Mr. Cohen
Mr. Cusick
Mr. Darkins
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

Noes: None

AYES: 9

NOES: NONE

The bills, having received the legally required number of votes, have passed finally.

Councilman Smith presents:

Bill No. 36 - Resolution renewing Resolution No. 152, approved March 5, 1993, authorizing Western Manor, Inc. to convert an existing five-story structure located at the rear of 2851 Bedford Avenue into 39 units of housing for the elderly and one for a resident manager, a community clinic and senior citizens center, with parking to accommodate 24 automobiles on property zoned "R4" multiple-family residence district, 5th Ward.

The Chair:

You have heard the reading and title of the bill. Is there any discussion?

Councilman Smith:

Yes, just quickly. This is part of a public-private partnership that the City is involved in. I want to get out to the public and especially the senior citizens, and I'd like to

invite my colleagues, to a meeting on January 31st at the Western Manor Facility. Someone did not give me the address but it is at 7:00 P.M. on the 31st at the old Tuberculosis Hospital. It is an opportunity for everyone to see how this process works, what's going to be there, so I'm inviting the entire community and my fellow elected officials to give you an opportunity to see how this process works. I know that we're starting one down in Bob's district and this is just an opportunity for you to get a little lesson in what's going on.

The Chair:

The bill is ready for final action.

All those in favor of the bill will vote aye when their names are called: those opposed will vote no.

ROLL CALL:

Ayes:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Ferlo, President

Noes:

Abstain: Mr. Smith

AYES: 7 NOES: NONE

ABSTENTION: 1

The Chair:

The bill, having received the legally required number of votes, has passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents:

Resolution re-appointing Celia Shapiro as an At-Large Member of the Pittsburgh Cable Communications Advisory Committee for a three year term to expire December 31, 1996.

Mr. O'Connor:

Motion to approve.

Mr. Smith:

Second.

The Chair:

All in favor? The appointment is confirmed.

The meeting took place last night of the first re-organization meeting of the new Cable Advisory Committee. There was an orientation session, I believe at 6:00 p.m., and a meeting at 7:00 p.m. Ms. Shapiro's appointment would make, I believe, eight members currently serving on this Board. We need three other names to have a full complement of Board Members. We need a recommendation from Councilman Darkins for one of the at-Large members. This would be a three year term, volunteer member on the Cable Advisory Board. I need two other recommendations. One individual must be a resident of wards 1-9. If anyone is interested in forwarding a recommendation to me, that would be for a two-year term, and then we have one more at-large seat, so if there is a consumer advocate type out there who would like to serve on this important committee, especially in the next few months when they will be reviewing TCI's rate case filing,

we would like to have the full complement, so if any colleagues have any recommendations, either for the two at-large members or one of the district representatives residing in wards 1-9 for one of the two year terms, would you please give me the names and we will submit them next week for Council's consideration.

At this time, I believe Mr. Onorato has a resolution in relation to Small Games of Chance.

Mr. Onorato presents:

WHEREAS, the Spring Garden Neighborhood Council, Inc. located at 1013 Chestnut Street in the City of Pittsburgh, is a non-profit corporation authorized by it's Articles of Incorporation and/or By-Laws to engage in civic or service purposes within the commonwealth of Pennsylvania; and does engage in such activities, and

WHEREAS, the Spring Garden Neighborhood Council Inc. has been incorporated in the Commonwealth of Pennsylvania and has been granted exemption from Federal Income Tax under Section 501(c)(3) of the Internal Revenue Code since 1988; and

WHEREAS, the Spring Garden Neighborhood Council, Inc. desires to operate certain small games of chance and/or conduct raffles to generate funds to finance its operations and further its purposes.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Pittsburgh hereby recognize and declare the Spring Garden Neighborhood Council, Inc.

to be a Civic and/or Service organization within the context of the Pennsylvania Small Games of Chance Act, as amended.

On the motion of Mr. Onorato, the Resolution was approved.

The Chair:

Other issues under motions and resolutions?

Mr. Smith:

I have now got the address. It is 2851 Bedford Avenue, which is in the Hill District, above Herron Avenue, and I think that it's extremely important that we use this forum to get the public. We passed many bills and lots of legislation. I think that it's time that the public start seeing how it actually affects their communities.

Mr. Cohen:

I attended that Cable Advisory Board Meeting last night and on the one hand I was very pleased that Mr. Philip Wasler was elected Chairman of the Board. He's a dedicated gentleman and also the husband of our Assistant City Clerk, Linda Johnson-Wasler, so that was a very good aspect of it. Beyond that, I have to tell you that I was not at all pleased by what I heard last night. Apparently, there has been communication back and forth between the City of Pittsburgh and TCI and on December 30th, TCI submitted a lot of documentation to the City of Pittsburgh as a result of a letter that our Law Department sent on December 21st. They asked that that information be concealed from the public. When our Law Department asked in

another letter on January 7th exactly what documents they wanted to be concealed or to be held confidential. TCI wrote back twice. Once was on January 14th, a week later, saying we can't tell you what we want to be held confidential because our lawyer is out of town. And then a week later, on January 21st, they wrote a letter in response to our response saying, we still can't tell you because of the bad weather conditions. I certainly can appreciate that we had bad weather conditions but they were the ones that asked on December 30th for us to conceal the information without telling us what information ought to be concealed. What that tells me is that TCI is still not cooperating with this regulatory process at all. They failed to give us the information that they were required to give us under the Federal Communications Regulations and then when they gave us some information, they asked that it be concealed from the public.

TCI just doesn't get it. If they hadn't increased their rates by 148% for expanded basic and 100% for basic service between 1984 and today, and if there was some meaningful competition in the cable industry, then we wouldn't have to do this. But the fact is, they have raised their rates excessively and there is no meaningful competition and in fact TCI has abused its monopoly power. That bothers me that they are still not cooperating with the process.

The other thing that bothers me is I think that the City of Pittsburgh is dragging its feet right now and they do not have a plan and I don't think they're

communicating well with City Council either. There's no reason why I had to learn about this information by just going to the Cable Advisory Board. If you recall, it's City Council, it's not City Council even in conjunction with the Mayor's Office, that has the authority to regulate. That means the Solicitor's Office should be communicating to us about this information. They are concealing this information from us, and I asked last night that that be changed and they said that they would. But I think we should make it stronger, Mr. President, and I think we should send a letter both to the Mayor and to the Law Department saying that we want to be apprised of any communications between the City of Pittsburgh and TCI, including the documents that TCI has submitted, and I also want to get an opinion from the Solicitor on whether or not they have any right to have their information concealed from the public. This is a public regulatory process. The public has a right to know, and if they're asking that their documents be concealed, then we need an answer from our Solicitor as to whether they have any legal right to that whatsoever.

Beyond that, Mr. President, we still do not have a Head of the Cable Bureau. Brother Richard Emenecker knew more about Cable T.V. and the regulatory process than anybody in the City as far as I'm concerned and I think that there is a serious vacuum at that level, and what I would like to do is also ask that a Head of the Cable Bureau be appointed as soon as possible and given that there seems to be a lack of direction, I would suggest to you that we also

have a cable sub-committee here on City Council, because it is City Council that is responsible for reaching a decision by April 1st. We have to have a decision whether to approve or reject their submissions. April 1st is just a little bit more than two months away and I'm sure as we've discussed you want to have, and I want to have, a public discussion, public hearings--hear from the public on it. hear from experts--and as I see it right now, we don't have a direction to be able to make that decision by April 1st. So I would suggest that we at least have a sub-committee here on Council to be able to work on this issue.

The Chair:

If I could put you on the spot a little bit--if you could just recount for this Body the role of the Administration at the meeting last night in providing information and some direction.

Mr. Cohen:

The person who led the discussion yesterday was Ellen Claire who is the Regulation Manager at the Bureau of Cable Communications, and there really was no discussion by the Administration. Mr. Pollock of the Administration was there but we didn't get a sense, really, of what their direction was. It was led by Ellen Claire.

The Chair:

And that includes the 7:00 p.m. formal meeting?

Mr. Cohen:

I went to both the 6:00 P.M.

informal meeting and the 7:00 P.M. Cable Advisory Meeting.

The Chair:

Thank you for bringing this to our attention. I think it is a little bit disheartening. My understanding was that Mr. Pollock was prepared to explain very clearly to that Advisory Board what steps need to be taken quickly over the next few weeks to comply with everybody wishes and that is to best represent residents and consumers on what many of us feel is an unfair request on the part of TCI, so I think we need to react and we need to react quickly.

Mr. Cohen's specific motion is the communication to the Mayor. Is there is any discussion on that?..I have some other ideas, too.

Mr. Hertzberg:

Have you approached Mr. Pollock on this, Mr. Cohen?

Mr. Cohen:

I was told that he was going to give a statement last night, and he didn't do so. I assume that was his choice.. So, no, I have not.

Mr. Onorato:

Mr. Cohen, do we know the date of the next meeting?

Mr. Cohen:

I think it's the second Tuesday of every month.

Mr. Onorato:

This was not just a reorganization meeting, and then there would be a followup in a week or so?

The Chair:

They meet the second Monday of each month.

Mr. Onorato:

So, as far as we know, the next meeting will be a month from yesterday.

Mr. Cohen:

I believe that's so. But we can't wait a month, Dan. We really can't. They did organize last night and they elected a Chairman. Remember, most of these people are brand new because of the number of expirations and resignations, but we really cannot wait another month before we continue this process.

Mr. Onorato:

I agree.

The Chair:

I think Mr. Cohen's words should be taken to heart. This Council has spent a lot of time, in this past year in particular, led by Mr. Cohen on his outcry in the past year regarding TCI. I have confidence that the Administration is on top of this issue. I am a little bit disappointed that there seemed to be a lack of communication by the Administration representative to that Cable Board. At the same time, I think we have some very strong residents who sit on this Committee now and I think they're

very qualified and very capable of moving very quickly to deal with the rate case.

Relevant to Mr. Cohen's point, however, and that is the Administrative work that needs to be done in terms of complying with various mandates of the FCC, I would like to throw out one other suggestion which we can circulate this week and come up with a resolution next week, and that is--we have financial resources on Council if we want to hire someone to intervene on our behalf and represent us in more of a formal way and that's something we can toss around this week, and that is not only relying on the Administration and our Cable Committee but we may want to have an individual or firm or group represent this Body on the complicated filing that's involved with opposing the rate consideration. So that's something that we can at least talk about this week.

Mr. Cohen:

I agree with what you said and I would reiterate, though, that I think we should have a sub-committee of this Council to be able to work with the Administration to move this regulatory process forward and also to make decisions like the one you suggested.

The Chair:

Are there any volunteers on this Council for such a sub-committee. Obviously, I'd like to see Mr. Cohen Chair this group. Are there others who would specifically like to work on this issue while recognizing that we have the time constraint.

Mr. Onorato from Finance and Mr. Cusick.

Alright, Mr. Cohen, please let the individual colleagues know when you have a sub-committee meeting, and also I would like to have you have Mr. Pollock and/or other representatives from the Administration at that meeting so we can really be on top of this issue.

Any other matters or any other comments on this issue? Any other comments under motions and resolutions?

Two points. Councilman Christopher Smith has accepted an appointment to the Board of the City's anti-poverty agency, the Pittsburgh Community Service, Inc. He will not only serve in his own right, but I hope that he'll provide a liason to this Council body. PCI is our anti-poverty agency. They receive dedicated federal funds. They are the life blood to lots of services and programs to neighborhoods throughout our Council Districts. In addition...most notably the home security program, the Hunger Trust Fund, the small grants program and the like, and we really need to have that linkage with the agency.

Also, Mr. Cohen has accepted the appointment instead of myself serving--he has agreed to serve on the Board of the Southwestern PA Regional Planning Commission which is a multi-county planning body which is very important. They have a lot to do with the Iced Tea Funding, the Umpa funding, the Odd Mass Transit funding as well as they now serve as the State agency on economic development loan programs. so it's very

important that this Council be represented, as well. Obviously they have major leadership on major transportation, bridge construction and the new proposed highway. You name it. So it's very important that we have that linkage.

Is there any other discussion on any other matter. If not, I'll entertain a motion to adjourn.

Mr. Cohen:
So moved.

Mr. Ricciardi:
Second.

And on the motion of Mr. Cohen,
Council adjourned.

M U N I C I P A L R E C O R D

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII February 1, 1994

No. 5

Municipal Record

**ONE HUNDRED
TWENTY-EIGHTH COUNCIL**

JIM FERLO President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
February 1, 1994

PRESENT:

Mr. Cohen
Mr. Cusick
Mr. Darkins
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

ABSENT:

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

The Chair:

We are very honored to have Shalon Askew, a fifth grader at Beltzhoover Elementary School who will lead us in the Pledge of Allegiance. She is also here with her mom, Mrs. Lillian Ashkew. Thank you very much.

Shalon Askew:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

Thank you Shalon. At this time we have a couple of proclamations. At this time I would like to call on the Honorable Councilman Duane Adrian Darkins who has some very important guests here today.

Councilman Darkins:

We have today ten African American businesses within the City of Pittsburgh that we felt should be honored. because today is the first day of February, 1994 and it is Black History month throughout not only throughout the City of

Pittsburgh but throughout the world. We will ask that the various companies that are here today to come and that a representative of the company will also come at this time.

Mr. Darkins presents:

Bill No. 103 - WHEREAS, in celebration of Black History Month, the month of February, it presents a great honor to be able to recognize the achievements, and accomplishments of the following African American Businesses, and their contributions to their community, fellow business owners, and youth

- Hollis And Associates
- A f r i c a n - A m e r i c a n Entrepreneurial Forum
- Commercial Food Services
- Coker Construction & Reconstruction Company
- Waller Construction Company
- Reliable Steel Service, Inc.
- Pittsburgh Restoration Services
- This and That Clothing Store
- Terry & Stephenson, CPA, P.C.
- Shealy's Sunoco

NOW, THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF PITTSBURGH, encourages the support of all of our community to these businesses to allow them to further their efforts.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh salutes these businesses on this Tuesday, February 1, 1994.

And on the motion of Mr. Darkins, the resolution was approved.

Mr. Darkins:

We want you to pay strict attention today that these

resolutions are being given to the following people: Judy Hollis; Daniel Daniels; Arthur Balthrop; Edward Coker; Louis Waller; Unita Bahar; Norman Edmunds; Sandra Swoope; Sam Stevenson; and Henry Shealy. We would like very much, if you so desire, to make a comment.

This is a great day, this is a great City of Pittsburgh and it's so good when we recognize that we have businesses of this nature that is in function. Often times its not brought to the attention to the City of Pittsburgh and also to the African American community how advanced we are and what the future foretells and holds for us.

Unita Bahar:

I would like to thank the City of Pittsburgh, City Council Members and especially Councilman Darkins for presenting Reliable Skills Services with this prestigious award. Thank you in appreciation for the support in helping Reliable Skills Service build bridges and jobs for the Pittsburgh Community.

Edward A. Coker, Jr.

I would like to thank the City of Pittsburgh and the Council Members and I accept this award on behalf of all the folks who make up the Coker Construction Company. Thank you.

Henry Shealy:

I would like to thank the City of Pittsburgh, Reverend Darkins, on behalf of Shealy Sunoco for this nice award. Thank you.

Speaker:

I would first just like to

thank God for blessing my business and I truly recognize it was he and not me that is responsible for the success. Secondly I would like to thank Councilman Darkins for all of his support of African-American business and encourage him to continue to lead the fight so there will be opportunity that will continue to exist for African American businesses. Also I would like to thank the Black Contractors for its support, and thank you David, for spearheading the spirit of unselfishness which would encourage me to continue to give back to my community as an entrepreneur. Thank you.

David Berkley:

Reverend Darkins, Mr. President and Members of Council, my name is David Berkley and I am the Executive Director of the Black Contractors Association. I'm accepting the award today on behalf of one of our members and one of our board members, Louis Waller. As you know he has a major project on the Hill District, the Crawford-Roberts project, and that project represents not only economic opportunities for the City of Pittsburgh and its residents, it represents new housing, very closely located to the City of Pittsburgh. It also represents job opportunities to many people in the African American community and that's what business means. It means money for the business owners and job opportunities for those people who work in the business as well as goods and services for the residents of the City of Pittsburgh. So again, we would like to thank all of you for this resolution today.

Norman Edmunds:

I'm from Pittsburgh Restoration Services. I want to thank all of the Council Members, special thanks to Councilman Duane Darkins and our President, Jim Ferlo. I just wanted to thank you again for supporting me over the years. I currently have two contracts with the City of Pittsburgh and I encourage you to please put these contracts to use if you have some facilities in your district, please, we hold a B-85 contract which is painting and masonry, repair graffiti, removal and control. So please, I urge you to put these contracts to use. Thank you very much.

Speaker:

Good morning, Councilman Darkins, Councilman Ferlo. On behalf of the shareholders and the staff of Terry & Stevenson I'd like to express our appreciation and honor for the resolution and I would also like to encourage Members of Council to make certain that you continue to push to include the African American business community in all of the things that occur in the City of Pittsburgh. Again, thank you.

Diane Daniels:

Good morning Council President, Councilman Darkins and Council people. My name is Diane Daniels. I represent the African American Entrepreneurial Forum as President. On behalf of that group I'd like to thank you for this tribute and we strive to work hard to bring forth the work and the construction and all the needs that the City of Pittsburgh has throughout the business community. Thank you.

William Pratt:

Good Morning. My name is William Pratt. I am the Chairman of the Greater Lawn Program and the Entrepreneurial Forum. Councilman Darkins, Mr. President. we do thank you for this honor and again we are geared for small businesses in the City of Pittsburgh, African Americans. We thank you for this honor in supporting us and please continue to support us in the future. Thank you.

Judith Hollis:

My name is Judith Hollis. This is a great day indeed. I am the Owner and President of Hollis Associates. We are an Income Tax Repairing Company. We have certainly come this far by faith. I have with me Kelly Latamore, she is my secretary, but she is not only my secretary she is my friend. She has been with me for the past four years and the reason why I want to recognize her is that we believe in our youth. Kelly came to me from Forbes Trail and she volunteered so much time I had to afford to pay her. I just want you to know that if it were not for people like Kelly and my young son who just receive his law degree that we would not be here. We are celebrating our seventh year in business. We opened up our own building at 1207 Fifth Avenue and we want you to know and understand we are here, we need you to support us and we thank you so much for this recognition, particularly Councilman Darkins. Thank you.

Councilman Darkins:

We want to say to all the recipients that received these

awards that if will in the course of the day, tell some of your constituencies that if they turn on 17 tonight there will be a rerun of today's activities. It is running live right now, but should they like to view that you might let them know. Thank you very much.

Mr. O'Connor

I would like to congratulate you and thank you for bringing everyone down and congratulate everybody on their successful business. I worked in small business and I know how hard you worked, but as the lady just said, I think the future of our economy and especially for our youths, the jobs you are going to create for our young people, is really the answer to most of our problems. I would ask the Bishop, maybe to make, I know we are aware of some them, I don't think we all aware of as well as we should be of the businesses you do and the kind of work you do, and I think with Bishop Darkins help would make us all more aware so we can support you as much as we can.

The Chair

I'd like to add a couple of brief comments. First of all, I would like to applaud Councilman Darkins for bringing all of you down here today and giving you recognition and I think hopefully through that recognition we can continue to struggle and make achievements. I think that it's important that we honor all of you here today. In fact we have a new City Council and we have a new Mayor and a new Administration. I think, I would hope that as Mr. Darkins has so eloquently spoken in the past, I think we have to

accept today as a challenge to do things differently in City Hall. I think the challenge has to be for everyone of us on this Council and the new Mayor and his Administration to recognize that we do not have fair share in this City.

I am a member of the Housing Authority Board. I have already put that new board on notice this last meeting that we have to do business differently at the Housing Authority in the future. We have a major grant with the reconstruction hopefully of Aliquippa Street, and as far as I am concerned I put notice to the board as well as the Building Trade Unions that we have to be about the business of guaranteeing representation from the work force, to the vendors, to the procurement, to the contractors, to the companies on that major job. I think that has to set a tone not only at the Housing Authority but if we look back at our track record it has been inadequate in the City Government on procurement, on the purchases of goods and services. We have a challenge now and I hope today can harken all of us to do things differently. I know you're going to hold our feet to the fire and I hope maybe very shortly we can convene a joint meeting with the Contractors Association, the new Administration, this Council led by Councilman Darkins and I hope we can begin to map out a different plan for better results this year. That's my commitment to you. Thank you.

Mr. Darkins:

Thank you President Ferlo. I'm glad to hear that he is, course he has always taken that

type of a stand. It is an emphatic thing today, it is not because I'm being the watch dog in City Government, but my stand and posture has always been that minority contractors or those that are participating in being, as Councilman Ferlo made mention, even with the Housing Authority and there are other things that are going to move forward, that Public Safety Plaza and of course Councilman Joe Cusick is the Chairman of Construction and Engineering. I want you to really look into that Joe, because that thing shouldn't fly. It does not have the proper representation of African American contractors. Under the last Administration and I have to say this, they brought us in, they promised that they were going to put African American contractors in that new safety plaza and it has not been done, and as you being the Chairman of Engineering and Construction, I wish you'd take it underneath your wings and arms and let us examine that because that building should not go up without proper representation from the African American community. Thank you, gentlemen.

The Chair:

Thank you all for coming down.

I believe Reverend Darkins has some other guests here this morning. Councilman Darkins, we have a second resolution to be read and adopted and I will ask the City Clerk to please read it into the record.

Mr. Darkins presented:

Bill No. 104 - WHEREAS. YouthBuild Pittsburgh, Inc., located in the Homewood-Brushton section of

Pittsburgh, is a program offering economically disadvantaged young people, ages 17 to 25 years, the opportunity to serve their community through being trained to rehabilitate abandoned structures in their community. The program offers the youth the opportunity to obtain a High School Equivalent Diploma and the chance to create a youth leadership movement; and

WHEREAS, YouthBuild Pittsburgh, Inc.'s vision is to enable young people to obtain the education and employment skills necessary to achieve economic self-sufficiency while helping meet the housing needs of low-income and homeless families; and

WHEREAS, YouthBuild Pittsburgh, Inc., program originated from the East Harlem Youth Action Program where with skilled adult supervision and support, young people have completed rehabilitation on 39 units of housing in their neighborhood, with the help of the City of New York's investment of \$50 Million in youth employment training. After receiving a grant from the City of Pittsburgh, YouthBuild Pittsburgh, Inc. opened it's doors on March 2, 1992, and continues to solicit support from the city and the community of Homewood Brushton to create successful programs.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates and commends YouthBuild Pittsburgh, Inc. for its success and commitment; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh encourages the support from the city, community and all to YouthBuild Pittsburgh, Inc.

And on the motion of Mr. Darkins, the Resolution was approved.

The Chair:

At this time, we will move to Presentation of Papers.

Committee on Public Safety:
Mr. Cohen presents:

No. 105 Resolution authorizing the City Controller to transfer Twelve Thousand Seven Hundred and Fifty-Six Dollars (\$12,756.00) from Code Account 1448, Miscellaneous Services, Index Code 144808, to the Community Oriented Policing Trust Fund, Department of Public Safety. This transfer is necessary due to a matching fund amount required by the City from a Pennsylvania Commission on Crime & Delinquency grant \$38,269.50 for the C.O.P. Volunteer Program.

Which was read and referred to the Committee on Finance.

Also,

No.106 Resolution authorizing and directing the City Controller to create a special trust fund to be designated as the Community Oriented Policing Trust Fund (COPTF), for the deposit of monies from federal, state/or local governments and/or donations from foundations, corporations and/or private sources, and authorizing the use of monies deposited into said Trust Fund by the Department of Public Safety for any and all expenses associated with Community Oriented Policing.

Which was read and referred to the Committee on Public Safety.

Committee on Public Works
Mr. Darkins presented

No.107 Resolution granting unto George and Laurel Dargay with an address at 511 Braddock Road, Pittsburgh, Pennsylvania 15221, their successors and assigns the privilege and license to construct, maintain and use at their own cost and expense, a metal fire escape over portion of the sidewalk of Hazelwood Avenue in the 15th Ward, 5th Council District of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Committee on General Services
Mr. O'Connor presented

No.108 Resolution providing for an agreement or agreements with a consultant or consultants for various cable consulting services, at a cost not to exceed Fifty Thousand Dollars. (\$50,000), chargeable to and payable from Community Communications Trust Fund (CCTF), Index Code 250555, Bureau of Cable Communications.

Which was read and referred to the Committee on General Service.

Mr. O'Connor moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Onorato seconded the motion.

Committee on Finance
Mr. Onorato presented:

No.109 Resolution providing for an agreement or agreement with

an accounting firm to provide professional auditing services as required by the Pennsylvania Department of Labor and Industry in connection with the Job Training Partnership Act (JTPA) Program and providing for the payment of the costs thereof, cost not to exceed \$30,000.00 chargeable to payable from the JTPA-1 Trust Fund, index code 260307..

Which was read and referred to the Committee on Finance.

Also,

No.110 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6. by changing from "R2" Two-Family Residence District to "R3" Multiple-Family Residence District all that certain property having 198 feet frontage along the northerly side of Voskamp Street 1154 Voskamp Street (24-F-280) and 1212 Voskamp Street (24-G-5), 24th Ward.---(SPONSORED BY MR. ONORATO)

Mr. Onorato moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Also,

No.111 Resolution providing for the issuance of a \$1,625.00 warrant in favor of Michael A. Romeo in settlement of claim for automobile damage by a City water truck.

Also,

No.112 Resolution providing for the issuance of warrants in the aggregate amount not to exceed \$18,500.00 in favor of persons who provide professional proctoring services for the benefit of the City in connection with the administration of the Civil Service Commission's written and performance examinations and providing for the payments thereof.

Also,

No.113 Resolution providing for an agreement or agreements with a Court Reporter or Court Reporters in connection with the taking of testimony at Civil Service Commission and Appeals Board hearings; at cost not to exceed \$3,000.00.

Also,

No.114 Resolution providing for an agreement with Byrd R. Brown Law Office for legal representation as the Solicitor of the Pittsburgh Commission on Human Relations in 1994 at a cost not to exceed \$20,000.00

Which were severally read and referred to the Committee on Finance.

Committee on Planning, Housing & Development
Mr. Smith presented

No.115 Resolution amending Resolution No. 854, approved January 28, 1985, Resolution No. 829, approved September 22, 1986 and Resolution No. 489, approved June 8, 1989, entitled providing for implementation of Residential Parking Permit Program in portions of Bloomfield community pursuant

to Pittsburgh Code, so as to amend the streets included in Area "H".

Which was read and referred to the Committee on Planning, Housing & Development.

The Chair presented:

No. 116 Resolution amending Resolution No. 1447, Item A, effective December 31, 1993, which authorized the sale of a three story, brick house situated on a lot 20 x 110, 10th Ward, Block 50 F, 4812 Rosetta Street, to Valerie L. Reuben for the amount of \$10,000.00, by changing the amount of sale from \$10,000.00 to \$6,000.00. The reason for the amendment is that the occupant, Valerie Reuben has made continuing improvements on structure. All else in Resolution No. 1448, Item A, effective December 31, 1993, shall remain the same and in effect. (Council District 7).---(SPONSORED BY MR. FERLO)

Also

No.117 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article V, Regulations Applicable to All Districts, Chapter 993, Exceptions, section 993.01, Use Exceptions, subsection (a) Conditional Uses Permitted by Council Approval, to allow Riverboat Gambling as a conditional use if proper legislative authorization is enacted by the Pennsylvania Legislature.---(SPONSORED BY MR. FERLO)

Which were read and referred to the Committee on Planning, Housing & Development.

Also,

No.118 Communication from Tom Flaherty, City Controller, submitting the Performance Audit of Police Officer Hiring, Department of Public Safety dated January 1994.

Also,

No.119 Communication from Linda M. Johnson-Wasler, Assistant City Clerk, submitting Fourth Quarter travel reports for 1993 from various departments.

Which were read, received and filed.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

The Chair:

The first two bills will be on the agenda tomorrow. One immediately goes to the Planning Commission for a report and recommendation and the other is an amendment on a property transaction.

UNFINISHED BUSINESS

At this time, we move to any unfinished business or any reports from any special committees. Any matters under unfinished business? Is the clerk aware of any? Any Member of Council, colleagues? Any reports from any special committee? If not, we move to Reports of Committees.

REPORTS OF COMMITTEES

Mr. Onorato presented:

Report of Committee on Finance for January 26, 1994.

Also, with an affirmative recommendation.

Bill No. 58 - Resolution providing for the issuance of a \$1,487.00 warrant in favor of Thomas Walsh in settlement of claim for sidewalk damage.

Also,

Bill No. 59 A Resolution providing for the issuance of a \$1,000.00 warrant in favor of Bell of Pennsylvania for property damage when a City refuse truck struck a utility pole.

Also,

Bill No. 63 - A Resolution providing for a warrant in favor of Attorney Paul D. Boas in the amount of \$1,960.00 in payment for professional services rendered to City Council.

You have heard the reading and title of the bills.

Is there any discussion on any of these bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of bills will vote aye when their names are called, all opposed will vote no.

Will the clerk please take the role.

ROLL CALL:

AYES:
Mr. Cohen
Mr. Cusick
Mr. Darkins
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, (Pres't)

AYES 9 NOES none

The bills, having received the legally required number of votes, have passed finally.

Mr. Smith presented:

Report of the Committee on Planning, Housing & Development on January 26, 1994.

Also, with an affirmative recommendation:

Bill No. 37 - A Resolution authorizing the Urban League Development of Authority of Pittsburgh to acquire all of the City's rights, title and interest if any; in and to the publicly owned property in the 15th ward of the City of Pittsburgh; designated in the deed, Registry Office of Allegheny County as Block 55H, Lot 269.

Also,

Bill No.38 - A Resolution approving execution of contract for disposition by sale of land by and between the Urban Redevelopment Authority of Pittsburgh and Lauren Fann for the sale of block 55H, lot 269 in the 15th Ward.

Also,

Bill No. 61 - A Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$250,000 to the Pennsylvania Department of Community Affairs for the Glenwood Industrial Site Project.

Also,

Bill No. 62 - A Resolution authorizing a cooperation agreement with the Urban League Development Authority of Pittsburgh for the Glenwood Industrial Site Project; providing for the reimbursement by the City of the Commonwealth for expenditures found by the Department of Community Affairs to be ineligible and obligating the City to pay any local Sheriff Project cost.

You have heard the reading and title of these bills.

Is there any discussions on any of these bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of bills will please vote aye when their name is called, all opposed vote no. Will the clerk please take the roll.

ROLL CALL:

AYES:
Mr. Cohen
Mr. Cusick
Mr. Darkins
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES 9

NOES none

The bills, having to receive the legally required number of votes, have passed finally.

Committee on Public Safety
Mr. Cohen presented:

Report of the Committee on Public Safety for January 26, 1994

Also, with an affirmative recommendation:

Bill No. 53 - A Resolution amending Resolution 614 of 1963; which entitled providing for the leasing from Spring Garden Neighborhood Council, Inc. for a parcel of land and building located at 1013 Chestnut Street in the 23rd ward for a term of up to three years shall be amended to read, an initial term of ten years with an additional term of ten years at the City's option.

You have heard the reading and title of the bill. Is there any discussion on this bill?

Mr. Cohen:

I would like to briefly commend the Spring Garden Neighborhood Council for working jointly with the City and the Public Safety Department to create another community policing mini station. I think it will be a very positive thing for that area of the City of Pittsburgh.

The Chair:

Thank you very much. I would add on this point that we did ask for some information regarding an update of all the locations currently and/or contemplated by the Police Bureau on the community stations. I don't know if we have

received that list, yet, but will the clerk please follow up on that.

Mr. Cohen:

No.

The Chair:

Any other comments on this bill?

The Bill is now ready for final action. All in favor of the bills will please vote aye when their name is called, all opposed will vote, no. Will the clerk please take the roll.

ROLL CALL:

AYES:

Mr. Cohen
Mr. Cusick
Mr. Darkins
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES: Nine NOES: None.

The Chair:

The bill has received the legally required number of votes to pass and it passes finally.

MOTIONS AND RESOLUTIONS

At this time on the motions and resolutions, are there any questions or comments?

Mr. Ricciardi:

Thank you Mr. Ferlo, colleagues. When I first took a

position on the Pittsburgh Water and Sewer Authority, I was always concerned with the number of emergency contracts that were given out to outside contractors to do work in the City of Pittsburgh, to repair a water or for example to repair a broken sewer line. The reason are obvious--when you go out to an emergency contracts at times you don't get the best deal and obviously there is an additional cost to the water rate payer or the City of Pittsburgh tax payer depending if there was a water line or sewer line. Over the past several months because of the cold weather and the thawing, we've had nearly one hundred water line breaks here in the City of Pittsburgh, and let me state now that not one time did we have to go out for an emergency contract, not one time did we have to go out for a contractor. That means all the work was done in-house by our employees and the Department of Water. I think all people need to be commended for that, and I hope that this Council will accept a motion that we send a letter to Mayor Tom Murphy, to Glenn Cannon, the Executive Director of the Pittsburgh Water and Sewer Authority and to John Hanna, the Acting Director of the Water Department, and all the employees of the Water Department, and thank them for their hard work because they, in effect, saved the City of Pittsburgh dollars because they did their work promptly, efficiently and on time and we did not have to go out for outside contracts. Mr. Ferlo, if you could please entertain that motion?

The Chair:

Motion has been made and

seconded. Any other discussion on this point? Mr. Ricciardi would you have the Clerk to draft the appropriate language?

Mr. Ricciardi:
Yes.

The Chair:

All in favor? The motion carries. Other concerns or comments?

Mr. O'Connor.

I just want to mention that at the request of the Administration, and I am in full agreement to postpone my scheduled post agenda for today concerning the Pirates. You don't have to look too far to read the front page of the paper the last couple of days to realize there are probably some sensitive negotiations going on and I did not want to make a political football over it right now, but the Administration of the mayor has assured me that they will be briefing us as soon as they know anything. We will be having some meetings on the legality of what is going on, not only now as far as the law suit, but any future dealings with the Pirates, and I know I have talked to you, President Ferlo, and they have assured us that they will keep us informed and my commitment is to keep on top of them to make sure we are aware of everything going on. We will take the next step as soon as we find out what's going on in the next one or two weeks.

The Chair:

Thank you Mr. O'Connor. Any other points on this matter or other issues?

Just as a reminder. I sent information out. I have scheduled a public hearing in relation to TCI's rate request under the FCC filing that was submitted to the City. I believe all Council Members have received an information packet. The public hearing is a little bit of a first, and that will be in the evening hours here in Council Chambers. It is a City wide public hearing. It will be held the evening of February 22nd on a Tuesday at 7 p.m. That meeting will be televised here in this Chamber. I'm scheduling this hearing in the evening. It's somewhat unusual, but I think it is important on this kind of a issue that we have a evening hearing to afford the opportunity for a greater number of Pittsburghers to come down and speak. A lot of working people have a hard time speaking to Council during the working hours, and I want to try to accommodate the greatest percentage of participation on this issue. Written comments will also be allowed and they can be submitted to the Clerk's Office, Councilman Cohen's office or the Cable Bureau office, and I will allow at least five minutes of testimony that evening. As we know TCI's rates have been in effect since January and this City Council is limited in it's review to the current basic service and the charges associated with equipment and things of this sort. A lot of other issues on the higher levels of rates are not really under the immediate review of this Council at this time. So again, the formal public hearing for public input will be Tuesday, February 22nd at 7 p.m. in these Council Chambers. Anybody wishing to testify can contact the City Clerk's office at 255-2138.

Secondly, prior to that on February 14th, I've asked for a joint meeting of City Council and the Cable Communications Advisory Committee. That will also be held in these Chambers at 7 p.m., February 14th. It will be televised and that hearing will actually put on the public record under oath TCI's response to various questions that I am sure Councilman Cohen will have and others who have been active on this issue. Let the joint Council-Communications-Cable Advisory Committee meeting with TCI; it will be conducted in a evidentiary hearing fashion to allow court reporting and formal stipulations by TCI answering questions about their rate case. So I wanted to alert the public and Council to both the February 14th, as well as the formal public hearing on February 22nd. Thank you for that opportunity.

Mr. Cohen

I will be brief Mr. President. I just want to thank you for putting forward a schedule, for making a decision by April 1st which as you know we have to do with regards to the filing by TCI, so I appreciate you doing that. At the same time I don't think we really receive the satisfactory answer from the Law Department about the confidentiality issue. If you recall, TCI had said that they wanted their submissions to the City to be confidential. My position is that the public has the right to know what their costs are, to see if their prices reflect their cost, so I would like to make sure that we get a satisfactory answer from the Law Department on that. Beyond that I appreciate you coming forward with the schedule like this.

I received a communication from Mark Pollock yesterday afternoon. I called him this morning and we will be meeting this afternoon with somebody that they're looking at as an expert in the area of cable regulations. To meet with that person, there is possibility of hiring him. I wanted to, this just happened right before the Council meeting, so I wanted to inform other Council Members, particularly Councilman Cusick and Councilman Onorato who, if they wish, can join us this afternoon, and I am glad to see that we are moving on a fast track because I think that is what we need to do.

The Chair:

Thank you very much. This issue on this so called proprietary information, first of all I haven't known of anything in City Hall to be of a confidential nature once information is out. But I would caution, colleagues, until we resolve the issue from the Law Department about the nature of this so called proprietary information, I would not want any of you to release any information. However, I have never known information to be confidential. I just hope hope that nobody is presenting any letter or providing any information to the media or to the public. The documents are in writing, hopefully no one will be so irresponsible.

Mr. Cusick:

Mr. President on another issue if I may - the Flaherty audit.

The Chair:

Let's stay on cable. Mr.

Ricciardi is your concern on the cable issue?

Mr. Ricciardi:

Yes. Thank you. I just want to let everyone know I owe a debt of gratitude to Councilman Dan Cohen. I'd like to thank him. This issue of cable rate is very important in the City of Pittsburgh and especially to constituents in my district and Dan Cohen has agreed to come to the thirtieth ward block watch and discuss the cable rates in detail. Dan, I just want to thank you because I know you are busy in your own district. So thank you.

The Chair:

Again, as a follow-up, Mr. Cohen and others will be meeting with an individual group who has specific expertise on rate case matters that represent the Pennsylvania League of Cities. They represent other municipalities who currently are reviewing and having to take action similar to this City on rate request. That individual is being interviewed by Mr. Cohen and others this afternoon, hopefully and we will have a formal discussion tomorrow. Mr. O'Connor submitted legislation on this issue to pay for those services, and again those services are being paid for not from the operating fund, but they will come out of the franchise fee monies that we get from the cable company. Instead of buying some additional art pieces we're paying for legal representation.

Mr. Cusick, you have a comment on other matter?

Mr. Cusick:

Yes. Regarding Mr. Flaherty's audit of police hiring.. As a new member I would like to thank Mr. Flaherty for his audit. It was very informative on the history of the police hiring.

Mr. Flaherty brings up a point that we will need to hire an additional 450 police officers by the end of 1995. In the '94 budget the past Council provided approximately 3.4 million in funding for retired majority of officers in Flaherty's audit. Most of these officers are of higher positions, Lieutenant Commander's, etc. Council also appropriated 2.8 million to hire 180 police officers at first-year cost. Mr. Flaherty also referred that the past Administration Council did not fill the positions it budgeted for. I'd like to make it clear that it is the Mayor's responsibility to fill those positions and not Council's. For the residents of district four and I think I can speak for the entire City of Pittsburgh, I believe it is imperative that these 180 positions be filled as soon as possible. I also would like the Administration to inform us in some type of post agenda into how they plan to hire an additional 180 officers and the rest of the officers by 1995. I think that this Council would like to send a message to the public that we are serious about the number of police officers that we have on our streets.

The Chair:

Thank you very much.

Mr. Cohen:

I want to thank Councilman Cusick for bringing this up and also Mr. Flaherty for doing this audit. I have spoken with Mr. Sarabella, also Kathy Kraus, who is the acting deputy, a director of the Public Safety Department and Chief Buford and we will be meeting with Pat McNamara about this issue and I agree that we need to have a conference with all of the key people including management, union and City Council to discuss police hiring for 1994. I agree, of course, and Council certainly when Dan Onorato was public safety chair, took the lead in pushing for more police hiring in 1991 and 1992. That didn't happen and it is certainly shown in the audit here. In 1993 however, the City did hire 243 police officers to get up to that number of 1275. In the 1994 Budget, it also has 1275 in there. I think that we should all meet soon in a public hearing with Council to hear the Administration's plan to make sure that we do not fall below that 1275 police officers. At the same time we certainly have to make sure that the Police Bureau represents the City of Pittsburgh and those are really the two goals that we have to meet and it's not going to be easy to meet them, but I do agree with Councilman Cusick that once the Administration is ready which I think will be pretty soon, we should all sit down and hear their plan and work together towards those two goals: one--the 1275 police officers, and two--making sure the police represent the City of Pittsburgh. If you recall out of those 1275 police officers in the 1994 budget, 27 of them are federal officers, of money that is

supposedly coming from the Federal Government for those officers so we should also get an update on that because we have not gotten that funding yet and if we don't that means we are going to have to. I think, I suspect that Council will agree, that we are going to have to divert funding from other sources to make sure that we stay at that 1275 level.

The Chair:

Thank you very much.

Mr. Onorato:

I was a little surprised by the report. I am glad it came out so we can talk about this issue. It's my opinion that this Council put community oriented policing on the streets. Every one of our neighborhoods has officers, we have more police now than probably before any of us were on this body. It's up to a large number and I'm not so concerned or worried about a deficient in 1996 because we have two years now to hire 400 officers. We stated or I stated over and over again and I'm sure this body would agree that we are going to give this Administration whatever resources that are necessary to achieve that goal to hire 400 officers. I'm actually excited. We have the ability here to hire 400 Pittsburghers with good paying jobs that qualify for these positions. I don't see that many companies offering that many positions currently. It's a unique opportunity to shape the police force for the 21st century. I think it is something we should be excited about. I don't think anyone should press a panic button here and the discussions are healthy. If

anything came out of that report that was really good is that we are discussing it now, and that we put the tools in place and the money in place so that we have the officers ready to go within the two year period.

One thing that the previous Administration always told this Council and the previous Public Safety Director said that for every retirement we would have a one for one switch, we would retire one and hire one, that we would not have a 200 hundred officer decrease at one time and I would hope that we would live up to that commitment with this current Administration and that the force will stay at that level, and I expect that they will do that and that the police force will be maintained at the proper levels.

The Chair:

Thank you very much. Other comments? Any other issues under Motions and Resolutions? We need a motion to approve the minutes.

The motion carries.

We need a motion to recess this meeting and meet again on Wednesday, February 2, 1994 immediately following Council's Standing Committees Meeting. This is in relation to the Union Switch and Signal bond issue. All in favor?

Council Members:

Aye.

The Chair:

Thank you very much. This meeting stands adjourned.

RECESSED MEETING
WEDNESDAY, FEBRUARY 2, 1994.

The Chair:

Council's recessed meeting
will now come to order.

Mr. Onorato presented:

Report for the Committee on
Finance for February 2, 1994.

Also, with an Affirmative
recommendation.

Bill No. 89 - Resolution of the
City of Pittsburgh to incur lease
rental debt in an amount not to
exceed \$6,000,000 by guaranteeing
a not to exceed \$6,000,000
principal amount of bonds to be
issued by the Urban Redevelopment
Authority.

The Chair:

You have heard the reading and
title of the bill.

Is there any discussion of the
bill.

Hearing none, the bill is now
ready for final action. Will the
Clerk please call the roll.

ROLL CALL:

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES: 7 NOES: None

The Chair:

The bill, having received the
legally required number of votes,
has passed.

Mr. Onorato for Mr. O'Connor
presented:

Report of the Committee on General
Services for February 2, 1994.

Also, with an affirmative
recommendation.

Bill No. 108 - Resolution
providing for an agreement/s with
a consultant/s for various cable
consulting services, at a cost not
to exceed Thirty-five thousand
Dollars (\$35,000), chargeable to
and payable from Community
Communications Trust Fund (CCTF),
Bureau of Cable Communications.

The Chair:

You have heard the reading and
title of the bill.

Is there any discussion of the
bill?

Hearing none, the bill is ready
for final action. Will the Clerk
please call the roll.

ROLL CALL:

AYES:

Mr. Cohen
Mr. Cusick
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

NOES:
Mr. Hertzberg

AYES: 6 NOES: 1

The Chair:

The bill, having received the legally required number of votes, has passed.

Any other discussion?

Mr. Cohen:

Thank you. Councilman Cusick just handed to me this Municipal Guide to Cable Television Regulation that was prepared by Mr. Werser.

I would like to ask that the Clerk make nine copies and distribute one to all of us.

The Chair:

Thank you.

This meeting stands adjourned.

M U N I C I P A L R E C O R D

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

February 8, 1994

No. 6

Municipal Record

**ONE HUNDRED
TWENTY-EIGHTH COUNCIL**

JIM FERLO President

MICHAEL PERRY City Clerk

LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
February 8, 1994

PRESENT:

Mr. Cohen
Mr. Cusick
Mr. Darkins
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

ABSENT:

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

The Chair:

Would you all please rise for the pledge of allegiance. At this time we're very honored and pleased to have a young man here today, Tyrone Simms from Dilworth Elementary School. He is the god-child of our new and future City Clerk, Linda Johnson.

Tyrone Simms:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Thank you very much. At this time I'm very honored and very pleased to introduce Reverend Leonard Roache from the Lincoln Avenue Church of God, who will conduct our induction.

Reverend Leonard Roache:

Let us pray. Our heavenly Father we give you thanks this morning for all the good things that you have so generously bestowed upon us. We thank you for life; we thank you for the health and strength that you have given each one of us so that we could be here this morning. We thank you for journey mercies that brought us over the slippery roads safely.

Dear God, we pray for strength; we pray for wisdom and we pray that you'll banish from our minds the pushful and boastful confidence that at times we regard as a means of success, and give us a true reliance upon your strength and your help, for without you we can do nothing.

We ask your blessings upon all Members of Council and all the people who must carry out the very important matter and business of government in our City. We pray your blessings upon them. Give them wisdom and understanding that they might be able to undertake this great task and do it well.

Bless us now, more than we can even ask or think to ask. We pray in the name of Jesus our Lord and Savior. Amen.

The Chair:

Thank you Reverend Roache. The public may be wondering why we're changing the format a little bit at least at the beginning of this meeting and that's because we have a very great honor today and that is the appointment and selection of our new City Clerk, Linda Johnson-Wasler.

At this time I do want to recognize that we have the Honorable Michael Coyne in the audience: our Prothonotary and former colleague here in Chambers. Michael if you would please stand we want to introduce you and thank you for joining us this morning. Michael is the proud father of Connor Anthony Coyne, a new baby boy, and his wife is doing well and recovering at home, Maureen, and we just want to wish all of your family the very best of everything and wish Maureen a speedy recovery.

The Chair:

At this time I would ask for a reading of the appointment resolution, which I have right here. I knew it was here somewhere. We are going to have to make her work for that appointment.

City Clerk:

Resolution approving the appointment of Linda M. Johnson-Wasler as City Clerk of the City of Pittsburgh for a term to expire 1996.

The Chair:

You have heard the Resolution. What is the pleasure of the body?

Mr. Darkins: - Motions/Nominations

Mr. President, I would rise today in placing the name of Linda Johnson-Wasler as our candidate to serve as the first woman to serve in the City Government in the City Council. We're so proud of Linda. She has made a great contribution to Government. I don't feel that there is anyone more worthy or more deserving to carry out the business of City Council as the Chief Clerk. She is my recommendation today.

The Chair:

The motion has been made. Is there a second? The motion has been seconded.

At this time I call for a roll call vote on the appointment resolution.

ROLL CALL:
AYES:

Mr. Cohen
Mr. Cusick
Mr. Darkins
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES: 9 NOES: None

The Chair:

Ladies and Gentlemen at this time, I would like to introduce a distinguished jurist, the Court of Common Pleas Court, Judge Livingstone Johnson, who will administer the oath of office. At this time I would like to call up Judge Johnson and call up Linda Johnson-Wasler for the swearing in, and then we will have some formal comments.

Judge Johnson:

Before I administer the oath, President Ferlo, I would apologize to yourself and the City Councilmen assembled and the ladies and gentlemen who are present and most particularly to the honoree, Mrs. Linda Johnson-Wasler.

I have a jury of twelve upstairs. I have a courtroom full of people and five attorneys and so I would ask that you forgive me if I take my leave shortly after I administer the oath.

Judge Johnson:

Do you swear by the uplift of hands?

Linda:

Yes I do.

Judge Johnson:

Raise your right hand and repeat after me.

Linda M. Johnson Wasler:

I, Linda M. Johnson Wasler, do solemnly swear that I will support the Constitution of the United States and the Constitution of the Commonwealth of Pennsylvania and the charter of the City of Pittsburgh, and that I will faithfully discharge the duties of my office of City Clerk to the best of my ability. I do so swear.

Judge Johnson:

Congratulations and God Bless you.

Linda M. Johnson-Wasler:

Thank you.

The Chair:

Ladies and Gentlemen before I call up on our new City Clerk for some comments, I do want to show appreciation to many distinguished guests and friends and family members here in the audience today.

I know Linda would want to introduce her mom and sister and

some of the other family members and before I call Linda up here to say a few words, and I do want to allow an opportunity for any colleagues to make additional comments, in addition to Reverend Darkins. I just want to say as Councilman Darkins spoke about earlier, that history is being made here today in the City of Pittsburgh. By our action, we have just appointed the first woman and the first Hispanic American to serve in this prestigious position of authority.

Linda Johnson-Wasler joins a honor roll of predecessors who have served City Council and the residents of the Pittsburgh with honor and with distinction.

Since this is Founders Year Celebration, I thought you might like to know that the first City Clerk, actually that City Clerk was elected when we first became a borough in 1794, was a gentleman by the name of James Cloe. He served as the first elected City Clerk in 1794.

We know our most recent City Clerk, the Honorable Michael Perry, and we are very pleased that Linda joins the long list of individuals that served our municipality with distinction.

Linda Johnson-Wasler, our new City Clerk, was born in Omaha, Nebraska in 1948 and she came to Pittsburgh in 1968 and currently resides in the Highland Park community. She is married to Phillip Wasler and is the proud mother of two daughters, Yvonne and Vanita, and has one granddaughter; even though she is very young and beautiful, and her granddaughter's name is Chelsey Lynn.

Linda became Assistant City Clerk in 1982 upon the death of William McCray. She has served as the Assistant City Clerk for almost twelve years. Hard work does pay off.

Linda is an active volunteer in many church and community, civic and political organizations, and she is very active with the Hispanic Forum, very active in a number of organizations within the African-American Community as well.

All of us on this City Council have approved of this appointment unanimously.

At this time I proudly introduce our new City Clerk, Linda Johnson-Wasler.

Linda M. Johnson-Wasler,
City Clerk:

Good morning Reverend Roache; Judge Johnson and my distinguished council members, along with my family, my dear family, friends and guests This day marks the beginning, the start of a new era of government for the residents of Pittsburgh, and I am honored to be part of it as the first woman and the first minority to be appointed to the position of City Clerk. I want to sincerely thank City Council for their vote of confidence today, and I promise to do my best to meet the duties and responsibilities assigned to this position. I look forward to building upon the positive work relationship that I have with Council Members and I aim to make sure that their constituents continue to receive quality service from the City Clerks' office.

To my staff, I want them to know that I appreciate their cooperation and help. I will have an open door policy that allows us to communicate and to work toward a common goal. I look forward to a smooth transition and a good working relationship. Thank you.

To the twelfth ward committee members and to Dock Fielder Jr., in particular, I owe a debt of gratitude for initiating, educating and supporting me in the political arena. Through the years I have always received constant and faithful support for all of my undertaking from my church, family and friends, and it is as a result of their love, encouragement and prayers that I stand before you today.

Finally, to my family, would you all please stand for a moment to be recognized. That is my family and that is my true support. Without my family unit there is no other structure that can bring strength, guidance and understanding for the good things I've done, for the bad things I've done. My mother and father have been truly understanding towards me. For my husband, I appreciate his support and patience through this process, to my daughters I am very proud of them and it gives me honor to be an example to them. To my mother and father in-law, Mr. and Mrs. Sylvester Johnson Jr., they've been truly an example of what life is to be about. To my sister who has been very helpful in helping me to put this together with dot the i's and cross the t's-I thank her. To the Wasler family, I appreciate them. They are a hard working family and

a well noted family in Washington PA and it is just an honor to be a part of them. So at this time I'm going to close and just say thank you for your support and I guess, let's get to work. Thank you.

The Chair:

Do any of my colleagues have any words at this time?

Mr. Cohen:

Thank you Mr. President. We won't get to work so quickly, Linda. I just wanted to take a moment to say that this is a historic and wonderful day; not only because Linda M. Johnson-Wasler is the first woman to be City Clerk, the first minority to be City Clerk, but also because of who you are Linda. You're a true professional. You're bright and your dedicated and you really have integrity and we all know, but perhaps nobody knows as well as you that it's not easy to work for nine different people, from nine different areas and nine different backgrounds. But nobody has done that better than you have Linda and you've been able to work with all of us with quiet dignity and with professionalism, and not only do I think the people here in City Council admire you, but also in the community at large, not only just in the minority community, but in the City of Pittsburgh, and not only in the City of Pittsburgh, but the entire commonwealth of Pennsylvania because you are not only a committee woman but a state committee woman and you are admired at that level too. I've

told you this before, and that is that you bring class to this institution and I'm very, very happy that you are made City Clerk today and I look forward to supporting you in that office. Thank you .

The Chair:

Thank you Mr. Cohen. Any other comments?

Mr. Onorato:

Linda, congratulations on being the first woman and first minority, but I want to make it clear that the reason that you have unanimous support here is because one: you have earned it, you worked for it, you are extremely qualified and I can sit here casting my vote knowing that we put somebody in the position that can handle the job and that I don't know if there's anyone better than you at this point to carry on the job, and I want to congratulate you on the hard work and the dedication you've given the City so far and into the future because you did earn it and I wish you well.

Mr. O'Connor:

Linda I am very happy and excited for you and again I want to congratulate you. I have the utmost respect for your hard work and integrity: I've seen you, the two years I've know you, and I have a lot of confidence that you will do a great job. I just want to congratulate you, and I know you are going to have your hands full with these nine guys, so I wish you the best.

Mr. Cusick:

Linda I am very proud to have worked with you for the last six years. You are a very dear friend, you are great at your job and I know that you will continue to do that. Thank you.

Mr. Ricciardi:

Linda I am honored that I have the privilege to vote for you today. As you know, for one reason or another over the past four years, I voted no and abstained on several other appointments, but I just want to say that you're bright, you're articulate and I am really looking forward to working with you. You are going to make us all very proud because you represent all the qualities all of us strive for and that is just do your job, work hard, and be honest about it. You are a great person. I just want thank you for giving me the opportunity to vote for you today. Thank you.

The Chair:

The voice of reason on Council, Councilman Smith.

Mr. Smith:

Well I just really wanted to say congratulations. You are proof that if you put forth the effort, if you work hard, you can achieve. The fact that nine males came and unanimously supported you says an awful lot about your character and who you are. I've known you because I came on board in '83 right after you became Assistant City Clerk and in all of

those years I must say that there is never a moment that I felt you were ever frazzled by the job or any of the people and I think that is the most important thing when one is responsible for basically the records of the City. So I just want to say congratulations.

Mr. Hertzberg:

Thank you Mr. President. I'm probably the only one that can't sit here and tell you I've known you for a long time or that I know a lot about you. I started on January 3rd and that is when we got to know each other, but in this brief period of time you have conducted yourself very professionally, as did your predecessor, Mr. Perry. As he supported me and you've supported me, I look forward to supporting you in your new position. Congratulations.

The Chair:

Thank you very much. Again we want to send our warm appreciation to the family of Linda for giving us Linda. We want to applaud Linda with this new appointment. She is obviously a hard worker and I want to thank all the family members. I know some of you traveled to the City, some of you are from different neighborhoods here in the City and we thank you and we are very honored that all the family and friends have come down here today on this important day for our new City Clerk.

At this time I will ask for a two minute recess so that some of the family members can depart. We

have some coffee and refreshments in the back I believe. Let the good judge go back up to all those attorneys and we'll meet very briefly in two minutes. When we convene, will get right to the proclamation. This meeting stands recessed for two minutes.

The Chair:

This meeting will reconvene. At this time we have a number of guests in the room who are here for various proclamations. At this time I would call on Councilman Cohen.

PRESENTATIONS

Mr. Cohen:

Would everybody from Teen Force please come up here. Bonnie, I want you up here, too. Yes indeed. Anybody else?

Members of Council I'm very very honored to be able to give this proclamation to Teen Force of the Shadyside Boys and Girls Club. We had a meeting last night of the Shadyside Action Coalition and Bonnie Booth who is the president of Shadyside Action Coalition is here today. Teen Force came out in force to show what they're doing for the community. At a time when we hear a lot of negative things about the youth of our City, I think it's very, very important to point out that there are many groups including this one right here that are doing very positive things for the City of Pittsburgh. It is a terrific organization and for that reason I'd like to read this proclamation:

Mr. Cohen presented:

Bill No. 126 - WHEREAS, TEEN FORCE, a program sponsored by the Shadyside Boys & Girls Club, is a group of teen members aged 13 to 18, who are concerned with the enrichment of the City of Pittsburgh's youth; and

WHEREAS, TEEN FORCE, which serves teenagers from a variety of City neighborhoods, offers programs in the areas of leadership development, education, career development, free enterprise and social recreation; and

WHEREAS, TEEN FORCE empowers teens to develop trust among each other to create an environment in which youth from different neighborhoods, with different backgrounds, opinions and ideas, participate together in an enriching and productive program; and

WHEREAS, TEEN FORCE promotes the highest standards of education and character among its teen members through its organized recreational and community service activities such as its involvement in the Lots for Tots Program, a clothing drive for needy children, and the Shadyside community Bag-A-Thon;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Shadyside Boys & Girls Club for its development of the TEEN FORCE Program which benefits the City of Pittsburgh youth.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Tuesday, February 8, 1994, to be TEEN FORCE Day in the City of Pittsburgh.

And on the motion of Mr. Cohen the resolution was approved.

Mr. Cohen:

Thank you very much members of Council. As I said, this organization does tremendous things for the community including the Lots for Tots Program, and the Shadyside Bag - A - Thon. I think a lot of you are familiar with the Shadyside Boys and Girls Club and all of the activities that they have over there. And we are very happy to have with us Terry Benson and Derek Gordon of the Shadyside Boys and Girls Club who supervise Teen Force. They've done an absolutely terrific job and a number of people from Teen Force are here today. They have been able to get excused absences from school to come down here even on this snowy day and I really appreciate it.

Troy Cotton who is president of the club, Rachel Stauffer-Neil who is the vice president, Polly Gee-Fileo who is the secretary, John Dubinion, Natasha Martinez, Leona Smith, Brian Spearman, Boyle Stucky, Yolonda Moore, Parish Holloway, Perry O'Brian, Mark Stucky, Terrell Jones, Jermaine Campbell and Demond Strothers. Did we miss anybody? Great. I wanted to take this moment to congratulate all of you for working together, working together for the community and doing real positive things at a time, as I said, we hear often negative things about the youth of Pittsburgh. You're doing a real service for the community and I want to present this to the President of Teen Force and that's

Troy Cotton. , Troy,
congratulations.

Troy Cotton:

First off, we would like to thank Dan Cohen and City Council for inviting us here today and next Miss Bonnie Booth and Shadyside Action Coalition for giving us the support and publicity that we needed, and through this we hope to have a longer relationship and more support throughout the years that we are all going to be here.

Speaker:

The Teen Force has not only given me a positive outlet for energy but also opportunity for community service and team leadership. I would like to personally thank the City for their recognition. This is a huge step toward our dream--a dream that teens everywhere can come together as we have. Teens from different races and from different backgrounds can come together and make a positive impact on their community.

Speaker:

Thank you so very much. We hope that this may help us move onto bigger and better things. I am positive that there are other groups out there working just as hard as we are. It is our hope that we might be able to ban together and work and fight united. I would also like to thank our wonderful advisor without whom this would not be possible. Terry Benson. Thanks Terry.

Mr. Cohen:

I would like for you to say a few words, Terry, please. By the way, Terry did a terrific job last night at the Shadyside Action Coalition. They all did, telling about this group and you've done a terrific job.

Terry Benson:

I, like the rest of them, would like to thank City Council and the City of Pittsburgh for giving them the recognition that they truly deserve. I was mentioned as the supervisor for the Teen Force and that needs corrected. I am an advisor. They're the group, they do the work, they do the organizing, I just advise them along with Derek Gordon who is a Pennsylvania Service core worker working with us for the entire year. So I can't take the recognition except for advising. They do the work and they deserve what they're getting.

The Chair:

Thank you very much. Derek Gordon.

Derek Gordon:

Hello. I'm just glad to be a part of the Teen Force movement and I wish us well in the years to come.

Mr. Cohen:

Very quickly, two other people I want to thank: My administrative assistant, Chuck Langdon for really putting this

together and putting the resolution together and working with Teen Force at the Shadyside Boys and Girls club, and also a man of many trades, Rick Booth, who is serving as photographer this morning along with our City photographer but also a very active member of the Shadyside community, former President of the seventh ward democratic committee. We're glad you're here too. So long as we have two photographers, let's get a picture.

The Chair:

Thank you very much. I think we should also commend the Boys and Girls Club here today. They are a great organization. I know the Teen Force in Lawrenceville is a very exciting group of young people. We've spent a lot of time with them, in fact we were able to give them assistance this year. I would hope that this would be a model in some of our other neighborhoods because it is a great program.

Councilman Hertzberg:

I'm particularly pleased to see you here and to the Boys and Girls Clubs, the YMCA's, the Teen Forces' that are out there. I want you to know that the Mayor's office and City Council, including myself as the Chair of Parks and Recreation, we want to get closer to you, we want to work as partners in furthering the same kinds of things you're trying to do and we're working on it everyday and we are going to be reaching out to more and more people your age in the days to

come. I commend you and look forward to working with you.

The Chair:

Thank you very much. Councilman Cohen I believe you have another proclamation.

Mr. Cohen:

Thank you Mr. President. I have one other and that is for LIHEAP which I will describe. If Rob Jones, Cindy Datig and Harold Mason can come up here please? Thank you. I'm proud to read the following proclamation:

Mr. Cohen presented:

Bill No. 127 - WHEREAS, the Low Income Home Energy Assistance Program, or LIHEAP, is a federally funded program that helps millions of low-income families provide critical heat to their homes during cold winter months; and

Bill No. 127 - WHEREAS, the Low Income Home Energy Assistance Program, or LIHEAP, is a federally funded program that helps millions of low-income families provide critical heat to their homes during cold winter months; and

WHEREAS, the Clinton Administration has indicated that they plan to cut next year's funding for the LIHEAP program by 50%, from \$1.475 billion to \$737 million nationally and for Pennsylvania, from \$98.26 million to \$49.13 million; and WHEREAS, LIHEAP in Pennsylvania already suffered drastic cuts during the 1980's under the Reagan and Bush Administrations by more than one-third; and

WHEREAS, currently more than 500,000 families in Pennsylvania depend upon LIHEAP to offset their heating costs, which represents only 25 percent of all eligible households; and

WHEREAS, studies have shown that low-income families must spend nearly 15% of their income on energy costs, often making the choice between heat and food.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby strongly urge the Clinton Administration to reconsider its decision to cut funding for this desperately needed program, LIHEAP, which benefits lower-income families in the City of Pittsburgh.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby strongly urge the United States Congress to restore full funding for LIHEAP to \$1.475 billion to benefit low income families in the City of Pittsburgh.

And on the motion of Mr. Cohen, the Resolution was adopted.

Mr. Cohen:

Thank you members of Council. As you all know yesterday the Clinton Administration presented its proposed budget to the United States Congress and that's a tough budget. I think we all realize that we have to have balanced budgets right now and we have to make sure that we get our deficit under control, but this is not one of the programs that should be cut.

I was a Clinton delegate and I very much support the Clinton administration but cutting LIHEAP, which is a program that helps low income people, senior citizens on fixed incomes with their heat, is not the program to cut, it is a misguided decision as far as I am concerned by the Clinton administration and it needs to be fully funded, particularly when we have one of the coldest winters in memory and we have people who rely on this program for their heat, which is one of the staples of life in the northeast and colder areas of our country, we can't afford to have this program cut. So we have with us today Mr. Rob Jones who is the manager of local government issues for People's Gas and all of you know Mr. Harold Mason who had that position prior to Rob Jones and did excellent job at it, and we also have Cindy Gaithus who is the Executive Director of the Dollar Energy Fund. There's going to be a press conference at 11:00 a.m. tomorrow on this issue and I just can't thank Council enough for supporting this proclamation because we have to do everything possible to restore funding for this LIHEAP program. I'd like to ask Cindy Gaithus to come up and say a few words.

Cindy Gaithus:

It's really amazing to me that each year we're facing funding cuts with this program. This year we have not ask for any increase in funding knowing the budget restrictions the federal government is trying to stay within. All we ask for was level funding. We're looking at a fifty

percent cut. The Dollar Energy Fund is going to see first hand what happens to people in Pennsylvania that can't get energy assistance. Dollar Energy Fund is a non-profit charitable group that helps people pay their utility bills. We're in thirty-seven counties in Pennsylvania. We have eighty seven community based organizations that accept applications, so every time they make a cut in leap funding, Dollar Energy Fund feels the burden. The only reason we're so successful is because of the generous people of Pennsylvania that add a buck on to their bills. This year when we saw the cuts in the leap funding what happened was we ended up with reduced income eligibility, shortened program dates, a smaller average grant. We are looking at \$177 as an average grant for people whose bills are a \$1000 to \$1200 a year. Obviously it's not making a big difference but we can't afford to lose it. With a fifty percent cut we're looking at an even smaller program and it looks like we're going to have people facing a Pennsylvania winter without heat or light next year unless we all work together to try and support this finding level of 1.4. So I thank you for anything you can do.

Rob Jones:

On behalf of People Natural Gas Company and the other Gas utilities in the Pgh. and Allegheny area, I want to thank Council for moving so quickly to proclaim the importance of maintaining LEAP funding. No one should have to make the decision to heat or eat, and people are

being forced to make that decision increasingly. We can little afford to lose the funding for '94 - '95 program year. We hope that the things that are stated here today, the proclamation and the support of folks from here on out, will encourage the administration not to reduce the funding for the program. Thank you.

Mr. Cohen:

Thank you very much Mr. President and Members of Council. Just one last point on this. There are very few federal programs that benefit people directly as much as this one does and I realize that when you submit a budget it's a matter of numbers and this particular program is going from \$1.4 billion to \$737 million but that is \$700 million dollars worth of people's needs that are not going to be met because of this. As I said we had one of the coldest winters in memory this year, next year we don't know how cold it's going to be but that \$700 and some million dollars worth of unmet needs and we just can't let that happened. So I thank you all for coming here this morning and thank Council for approving this resolution.

The Chair:

Thank you very much. I would ask that we provide a copy of resolution to all the elected members of Congress from the Commonwealth so as to advocate on this issue. At this time I am pleased to call upon Councilman Darkins who has a number of resolutions.

Mr. Darkins:

Mr. President we would ask that Eustace Uku come forward. This is today our second series of resolutions and presentations in Council for Black History Month.

Mr. Darkins presented:

Bill No. 128 -WHEREAS, in celebration of Black History Month, the month of February, it presents a great honor to be able to recognize the achievements and accomplishments of Eustace O. Uku, owner of Exico, Inc. Mr. Uku was the prime architect of the minority business participation program at the Carnegie Mellon University High Technology Center Construction site. This participation plan is now being recognize as a model for minority participation in construction projects and minority employment.

Mr. Eku has also assisted businesses in start-up through his effort of encouraging their involvement in Minority Program Certification.

NOW, THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF PITTSBURGH, encourages the support of our community and businesses to help further the efforts of businesses and individuals who strive to make a difference.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh makes this salute, this Tuesday, February 8, 1994.

On the motion of Mr. Darkins, the Resolution was adopted.

Mr. Darkins:

Fixed is is the signature of the President of Council Jim Ferlo, our newly elected City Clerk Linda M. Johnson-Wasler and presenter Duane Darkins.

Mr. Uku:

Thank you very much Council. I am sincerely touched, I'm very appreciative of this proclamation. I want to express my sincere thanks to Councilman Duane Darkins and Councilman Eugene Ricciardi with whom I worked closely in the area of minority business development over the past few years. Also I want to thank the owners of projects like Pittsburgh Water and Sewer Authority and Carnegie Mellon University that have been supportive of opening up opportunities for participation by minority and women business enterprises in the city of Pittsburgh. I also take this opportunity to thank the numerous members of the Minority Business Community in the Pittsburgh area who have worked diligently to take advantage of the opportunity that has been opened up as a result of our accomplished effort.

Mr. Ricciardi:

Thank you. I would just like state that I have had an opportunity to work directly with the Mr. Uku as a member of the Pittsburgh Water and Sewer Authority and he should be commended for bringing into the fold many woman and minority owned firms, and because of that people have succeeded in this County and

I really need to put that out.
Thank you.

Mr. Darkins:

I would ask that Mr. Pratt
come forward.

Mr. Darkins presented:

Bill No. 129 - WHEREAS, in
celebration of Black History
Month, the month of February, it
presents a great honor to be able
to recognize the achievements and
accomplishments of William A.
Pratt, Jr.

Mr. Pratt is the President/CEO
of Family Complex East, Inc., a
pre-school program for inner-city
youth, Executive Director of
Lincoln Park Community Center,
Inc., which offers a host of
health, social and senior
services, educational programs,
child care, and utility programs,
Board Vice-President of YouthBuild
Pittsburgh, Inc. a training
program for young adults in the
field of construction trades,
Director of the loan program of
the African-American Entrepreneur
Forum, established to make small
interest-free loans to black
businesses.

NOW, THEREFORE BE IT RESOLVED
THAT THE COUNCIL OF THE CITY OF
PITTSBURGH encourages the support
of our community and businesses to
help further the efforts of
business and individuals who
strive to make a difference.

BE IT FURTHER RESOLVED, that
the Council of the City of
Pittsburgh makes this salute, this
Tuesday, February 8, 1994.

On the motion of Mr. Darkins,
the Resolution was adopted.

Mr. Darkins:

Fixed is is the signature of
the President of Council Jim
Ferlo, our newly elected City
Clerk Linda M. Johnson-Wasler and
presenter Duane Darkins.

Mr. Pratt:

I'd like to thank Council, the
distinguished Bishop Darkins, and
Mr. Ferlo. It's a great honor to
receive this proclamation but it's
a greater honor to serve the
people of the community. Some
four years ago Family Complex East
was a vision. I had to start a
pre-school an educational program
to educate, prepare younger
children for higher level of
education because, as we all know,
the state of Pennsylvania states
these children must know how to
read, write and spell their name
before they enter pre-school.
Therefore, in daycare settings
these kids were not accomplishing
these things and they were
starting school at a later age,
and this vision came to fruition
through a personal loan and
depleting my savings because no
one believed that this would
work. I petitioned government
here in Pittsburgh and corporate
Pittsburgh. Eight months later
after I went out on that limb,
they decided to come out and
support, and I am truly glad they
did. Again it is a pleasure to be
honored this way, but as I said
earlier, it's even a bigger
pleasure to serve the communities
of the City of Pittsburgh. Thank
you again Revered Darkins.

Mr. Darkins:

Again, I had the opportunity on this past Saturday in traveling out to the United States Air Force Base and after knowing this gentlemen, seeing him very active in performance and today he's here with us in City Council.

Mr. Darkins presented:

Bill No. 130 - WHEREAS, Temujin Ekumfeo, born in Pittsburgh 43 years ago is a professional storyteller, and has been for 26 years. He attended school to become an anthropologist, to study the origin, nature and destiny of human beings, so he decided to apply his training in the community, by becoming active in the late 60's in consciousness-raising. One of the tools used to accomplish this task was storytelling; and

WHEREAS, Temujin the Storyteller, has showcased his craft in such places as the Pittsburgh Public Schools, the Carnegie, the Pittsburgh Children's Festival, Center for the Arts, the IRS, Federal Reserve Bank, New York's Lincoln Place, DeWitt Museum-San Francisco, Nova Scotia International Performance Festival, and numerous other places. His hope is that Pittsburgh provide more support and funding to showcase various forms of art around the Pittsburgh area, to provide cultural enrichment programs for all our community, especially our youth.

NOW, THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF PITTSBURGH, recognize Temujin

Ekumfeo for his achievements and accomplishments in celebration of Black History Month.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh offer this salute, this Tuesday, February 8, 1994.

On the motion of Mr. Darkins, the Resolution was adopted.

The Chair:

I know the first thing you are going to tell us is the correct pronunciation.

Temujin Ekumfeo: -

The name is Temujin Ekumfeo but that's not that much of a problem. I've been asked by the Councilman to tell a story this morning, so I am.

A long time ago there was a farmer whose name was Joel. He had two sons named Aaron and Seth and Joel was a farmer. Now when his sons were young and the wheat was tall, his son would run in the wheat and hide, but they, like all children, have a bad habit, they ate and they grew and soon they were taller than the wheat and taller than the plow and taller than their father. And after some years of working on the farm they became young men who contributed well to the community. One day the two of them came into their father and said, "father you have raised us and now we stand strong and tall and we want you to take it easy. No longer need you work on the farm." And so they ran the farm and did everything that needed that needed to be done.

And years past. They both went on and developed families of their own and one day their father called them in and said "my sons the day will come soon that I will die and I want the two of you to promise me that you will not fight over this farm but divide it equally between you". And the sons said "we swear to you this promise that day that you leave us in death and we pray that it is a long way off, that we will have someone else come in and measure the farm and divide it equally between us".

Many years past and they were happy years but one day Joel's wife went in to get him for breakfast and Joel was gone. Oh, his body was still there, but that greater gift had gone back to the giver and the community was both sad and happy because he was a good man and had lived a rich and full life. After the funeral the son's kept their word and they brought in another person who measured the farm and divided it equally between them. Aaron the oldest son stayed in the house that his father had built and his brother Seth moved off to the other side of the farm and set up housekeeping for himself.

Now being a farmer is probably the most difficult job in the all the world because you do not control the means of production. No one can do anything about the weather except complain. Sometimes it's too hot, sometimes it's too cold, sometimes it rains too much. Sometimes it does not rain enough. In one year the rain came late and when they came, they came sparsely and there was Aaron sitting in the kitchen with his

wife and he said, "you know I'm worried about my brother-he doesn't have the children that we have and I'm afraid that he doesn't have enough to eat. Tonight I'm going to sneak down and put a little wheat in his barn". And his wife said, "don't sneak, you go and you give it to him." He said, "no I know my brother, he's too proud. If I offer it to him he'll lie and say he doesn't need it but if I go and give it to him without his knowledge he'll have it and I'll feel better." Well there was his brother and he was concerned because his brother having a larger family than he, he was afraid that they may not have enough to eat. Knowing that his brother was proud he decided to sneak up during the night and put a little wheat in his brother's barn. So that night at different times during the night they went and did what they had planned, and when they checked their own barns in the morning there was just about as much wheat as there had been the day before and they were confused. And then it dawned on them. They had packed the donkeys in the dark and how are you going to know how much you put on the donkey if you are packing the donkeys in the dark. So they packed them that time during the day so they could see how much there was, took the wheat to each other's barns and in the morning when they checked their own barn just as much wheat was there that had been the day before. Now not only were they confused they were concerned so they called in their families and told the families they were going to help with the delivery of the wheat. They would

overload the donkey. They would carry wheat on their own back and that night when they left, they left at the same time and they met on the road that made the northern border of their farm right at the point where the farms were divided. And then they came to understand why it was that every morning there was just about as much wheat as there had been the day before. And they hugged each other and they cried and a voice was heard from every where and no where and that voice said, "How good it is for brothers to live and work together."

Now there on that spot a village was formed, the village became a town, the town became a city and the city stands yet today. That city is Jerusalem and there in that place there was a king whose name was Solomon, famous for many things, but famous moreso for the thing that still stands, the temple that he built there in the City of Jerusalem. And when that temple was new and the people went into it for the very first time to pray a voice was heard from every where and no where and that voice said, "How good it is for brothers to live and work together."

Now I've been telling this story for some years and when I conclude, it's always been something that I say that I would wish that this story be told in a legislative chamber such as this one. So that those men and women who come together to decide laws and regulations that govern the lives of other men, women and children, might hear this story and have it in their minds and in

their hearts to be more concerned about whether or not their brother has enough wheat in their barn and spend less time on smart bombs and dumb-dumb bullets and all the other sorts of things that we waste our energy on. And maybe peace might break out in the world, what a wonderful thought and then that voice might be heard from every where and no where "How good it is for brothers to live and work together."

I want to thank Council and I want to thank Reverend Darkins. It's an honor and a pleasure for me, this young boy from the small town, to stand here today and accept this honor. Thank you all very much.

The Chair:

Thank you very, very much. I just want to say to the parents of young children, black and white, younger and older, if you want to do something different on a kid's birthday than visit Chuck E Cheese-this gentlemen, I've seen him perform many times in our city's parks. I know he does house parties and other kinds of events. He's a very classy young man, he has a lot of skill and whenever I've seen him I've seen children fascinated with his storytelling. I'm sure if you call Councilman Darkins you will be able to get his number and you can help him out in the community, also. He has a good message and a good word to spread so thank you.

Councilman Darkins, I believe you have one to be read into the record.

Mr. Darkins presented:

Bill No. 131 - WHEREAS, the Squirrel Hill Bookstore has been a part of the Pittsburgh business community for over 17 years. They have served the needs of the local community as well as the community at large. The bookstore is an independently owned business, and strives to embody the principles of free speech and uncensored exchange of ideas and information; and

WHEREAS, the Squirrel Hill Bookstore in addition to serving the public and its interest, they also try to provide forum for all local writers and local interests, to include interest in women and minority issues; and

WHEREAS, the Squirrel Hill Bookstore is proud to host a reading by poet Nikki Giovanni, one of America's most highly regarded poets and essayists and is an important voice in the debate on race and national values in America. Her latest book, Racism 101, is a collection of essays.

NOW, THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF PITTSBURGH, salute the efforts of the Squirrel Hill Bookstore, and sends a warm welcome and congratulations to Nikki Giovanni.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh salutes this business and individual on this Saturday, February 5, 1994.

On the motion of Mr. Darkins, the Resolution was adopted.

The Chair:

At this time we have Councilman Onorato who has a proclamation, and I believe all members have joined in this resolution.

Mr. Onorato:

I would like to call MaryAnn Miller up at this point. MaryAnn is representing a Midas Muffler and Project Safe Baby.

Mr. Onorato presented:

Bill No. 132 - WHEREAS, more children in the United States are killed and injured in car crashes than from any other cause of injury; and

WHEREAS, when used correctly, child safety seats are 71 percent effective in preventing fatalities, and 67 percent effective in preventing serious injury; and

WHEREAS, 268 children age four and under were saved in 1992 by child passenger safety seats, and 2,061 lives were saved by child restraint use from 1982 to 1992; and

WHEREAS, if child safety seats were used by all children under age five, an estimated 50,000 serious injuries would be prevented and 455 lives would be saved each year; and

WHEREAS, all 50 states, the District of Columbia, Puerto Rico, and the U.S. Territories have enacted laws requiring the use of child passenger protection systems; and

WHEREAS, many child safety seats are misused in some way, and correct placement and harnessing is critical to ensure adequate protection; and

WHEREAS, death and injury may be significantly reduced through greater public awareness, information, education, and enforcement of child safety seat laws.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and thanks the American Academy of Pediatrics, Allegheny General Hospital, and Midas Muffler and Brake Shops and its "Project Safe Baby" for their efforts in focusing attention on this important issue, and promoting injury prevention for all children; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh in recognition of every child's right to adequate protection when being transported in a motor vehicle, does hereby proclaim the week of February 13-19, 1994 as Child Passenger Safety Awareness Week in the City of Pittsburgh.

On the motion of Mr. Onorato, the Resolution was adopted.

Mr. Onorato:

MaryAnn I want to thank you and Midas and Allegheny Hospital for this great cause. Having two little ones at home and how many times that I might be upset with fighting with these seats every where I have to go to put the kids

in, it is is very important and it's worth the extra two minutes to strap the kids in because a normal easy fender bender for an adult can be fatal to a child. So I do thank you for educating the public and at this point I would like for you to say a few words about the program.

MaryAnn Miller:

There's very little left for me to say. The Councilman said it very eloquently, but as he said, car seats automobile accidents are the number one killer of young children in our country and I think it's very -important that everyone is aware that Pennsylvania's car seat safety law has been updated as of last year that every child under the age of four must be in a car seat. Depending on their weight will need to be in a car seat and a booster seat up to the age of six possibly. Again it is very important and I would like to thank Council very much for taking the time to recognize this very important effort and for the recognizing the efforts of Midas Muffler "Project Safe Baby" for Allegheny General Hospital and their tremendous support and for the support of the American Academy of Pediatrics locally here in Pittsburgh. Thank you.

The Chair:

Thank you very much. At this time I'm pleased to introduce Councilman Ricciardi who has some distinguished guests from the Southside Community from the Prince of Peace Church.

Mr. Ricciardi:

This time I would like to ask Father Hebda and our honored guests to please come forward and while they're coming colleagues I am very honored and privileged to read this resolution today honoring the passion play "Veronica's Veil" on its diamond anniversary. Throughout my school days one through twelve we had an opportunity to view the passion play during school time and most of us in the southside and surrounding neighborhoods view it on their own time.

Mr. Ricciardi presented:

Bill No. 133 - WHEREAS, the tradition of the Passion Play, a dramatic re-creation of the passion and death of Jesus Christ, has been a teaching tradition in Christian societies for centuries; and,

WHEREAS, in 1910, Father Bernardine Dusch, C.P. and Father Conrad Eiben, C.P., two Priests of the Passionist Congregation serving as parish priests at St. Michael's Church on the South Side, wrote a Passion Play about the tradition of a pious woman, Veronica, who used her veil to wipe the sweat and blood from Christ's bruised face. The veil took the impression of Christ's face and later became a religious icon at St. Peter's Cathedral in Rome; and,

WHEREAS, people from locations throughout the Tri-State area including Wheeling, Erie, Youngstown, Steubenville, Cleveland, and as far away as

Philadelphia have traveled to Pittsburgh to view "Veronica's Veil"; and

WHEREAS, since the first performance of "Veronica's Veil" more than 3000 volunteer players together with directors, stage hands, costume staff, reception committee, parking staff, usherettes, utility workers, food preparers, public relations staff, and office staff have presented this play to over one million people of all religious beliefs. Many of the workers carry the tradition into the second and third generation; and,

WHEREAS, 1994 marks the 75th Anniversary of the first performance of "Veronica's Veil".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the Passion Play "Veronica's Veil" on its Diamond Anniversary and commends the Prince of Peace Parish of the Diocese of Pittsburgh for continuing this seventy-five year tradition.

On the motion of Mr. Ricciardi the Resolution was adopted.

Mr. Ricciardi:

Thank you colleagues. At this time I'd like to ask Father Hebga who is one of our parish priests on the coordinating team for the Prince of Peace on the Southside. Please come forward and Father Hebga if you could also introduce your guests.

Father Hebga:

Councilman Ricciardi, members of Council, we are in deed honored by this proclamation and I'm very delighted to be here today with people who have been involved in this Passion play, in this labor of love for many years. It's indeed an effort that brings together not only the church but also the community, involving young people middle age people and older people.

We have with us today Mr. Tony Toledo who has been a member of the cast for forty years despite his very young appearance. He's been a member for forty years; a Mr. Dennis Bumbskins has been involved for approximately for fifteen years; Mr. Joe Guzinski since 1968 and Miss Carrol Krauss for nearly thirty years. She must have begun when she was about three. We're very delighted that they are all here today to indicate on our behalf our gratitude for this proclamation and for our hope that this seventy-fifth jubilee year will indeed be something that our community and indeed our entire city might be very proud of. So we are very grateful to Councilman Ricciardi and to all of you.

The Chair:

Thank you father. Thank you all for coming down today.

Mr. Ricciardi:

This Resolution has been co-sponsored by all members of Pittsburgh City Council:

Bill No. 134 - WHEREAS, many long-time property owners in the City of Pittsburgh have recently suffered dramatic increases in their real estate tax obligations due to increased property assessments; and,

WHEREAS, the Commonwealth of Pennsylvania has enacted Act 146 of 1988, known as the Gentrification Law, which permits local political subdivisions to protect long-time resident-owners from increased assessments due to changes in the neighborhoods where the long-standing owners reside; and,

WHEREAS, Act 146 caps the allowable increase in annual assessment of home owners who have owned their homes for ten years or more at not more than 5% per year; and,

WHEREAS, in 1991, the County of Allegheny created a process for tax assessment limitation due to gentrification which has provided relief to hundreds of residents in the City of Pittsburgh; and,

WHEREAS, after approving the Gentrification Ordinance of 1993, the City of Pittsburgh has begun a similar process to provide a limitation on assessments for long-time owner-residents; and,

WHEREAS, in approving tax exemptions to 10-year plus owners, the City eschewed the option to grant tax deferrals, citing the stunting effect on future property values, sales and development; and,

WHEREAS, despite the scarcity

of public resources, the revenue loss to the City of Pittsburgh due to the gentrification cap is less than \$20,000 per year or about one twentieth of one percent of the annual City budget; and,

WHEREAS, the School District of the City of Pittsburgh is the only taxing body in Pittsburgh which does not yet grant similar gentrification relief to long-time resident-owners; and,

WHEREAS, even after the recent 282 increase in property tax rates, the revenue loss to the School District from an assessment cap program identical to the City of Pittsburgh and the County of Allegheny would be approximately \$17,000 annually.

NOW, THEREFORE, BE IT RESOLVED THAT the Council of the City of Pittsburgh strongly urges the School District of the City of Pittsburgh to immediately adopt a Gentrification Program for the year 1994 in accordance with the provisions of Act 146 of 1988.

On the motion of Mr. Ricciardi, the Resolution was adopted.

The Chair:

Is there a motion to approve? Seconded? Discussion on the motion Mr. Ricciardi.

Mr. Ricciardi:

Thank you Mr. President. I'll be very brief. I'm sure a few of our colleague would like to have a statement on this.

In early 1993 this Body passed the Gentrification Act and that would limit tax assessment increases in the city of Pittsburgh and cap them at five percent. We were finding out that throughout the City of Pittsburgh, people were receiving dramatic increases in their assessment because of surrounding development. So we were offering tax relief and we were able to do that because of Act 146 of the State; and we followed suit from the Allegheny County. At that time I believe in April of 1993 the City Council passed a motion and a letter was sent to all members of the school board asking them to pass a similar act. Also with the permission of this body I represented this body on April 19, 1993 requesting. Unfortunately the school board has not taken action, however, last night at their meeting they stated that they might vote on a Gentrification Act on December 23rd meeting so this is the reason we passed this today and it will be in the mail today. I must excuse myself, I am catching a cold here, so hopefully I described that properly, thank you.

Mr. Hertzberg:

Thank you Mr. President. I am in favor of this resolution but I do have some reservations and that is it probably doesn't go far enough in what we should ask for from our school board. We also should ask them to cut the wage tax that the schools are charging to the same level that the city is charging. The City has been trying to cut and cut and cut to

live within our means and can not increase taxes. I don't think we can say the same thing for the schools. In fact while the enrollment over approximately the past decade or so has been cut in half, the administrative expenses that the school pays have doubled. I think it doesn't go far enough but at least we're asking them to do something and I am in favor of it.

The Chair:

Thank you very much, Mr. Onorato.

Mr. Onorato:

I agree one hundred percent with what Councilman Hertzberg just said. Dealing with this resolution I'm sort of disappointed because a year ago we sat in these chambers and I remember Councilman Ricciardi bringing this up and we needed a letter to be sent to the school. Well twelve months later there's still no action. This body took action to comply with the state act or utilize an act that was put in the law to give our senior citizens or long standing residents a opportunity to control the increases in taxes. I know last week I just received a 38% increase on our property, my wife and I, for the second year in a row. If you take that 38% increase and you look at the tax increase that the city's school board implemented last year, you're looking close to almost 60% increase just on my property. Now I don't qualify for this because I haven't been there ten years in my home but a lot of senior citizens

who are on fixed income, how could they possibly absorb a 60% tax increase. It's out of control, it's ridiculous. We need tax reform in Harrisburg to take the burden away from property taxes but I think it is very unfortunate and unheard of that the school board did not give this opportunity to the senior citizens and to residents who have been in their homes over ten years, especially since they enacted that tax increase last year. I would hope they would act immediately on this resolution.

Mr. Cohen:

Thank you Mr. President. I just want to commend Councilman Ricciardi for taking the lead on this resolution but also taking the lead in general on property tax issues. It was his bill, his initiative, that got City Council in the City of Pittsburgh to pass a Gentrification Law and I think he is the appropriate person to bring this up because there clearly a gap in that the school district has not done the same. I agree that increased assessment really are back door tax increases and with the huge assessment changes that have occurred over the last couple of months action has to be taken and this is only the first step toward the action that needs to be taken. One bright spot was that the State Senate I believe yesterday passed a law that will allow local governments to have a five percent across the board cap and I hope that that passes the entire legislature, but we've got to take action. If you are going to have a tax increase you should do

it open and honestly and not have it done through the back door the way the increase assessment are.

Mr. O'Connor:

I fully support Mr. Ricciardi and what everyone said but Mr. Onorato brings up an interesting point. I think you've been in your home a couple of years. Where is the protection of young couples, young families who may, even though they're making a salary, with a couple of kids face a very tough time, and if they're in a home two or three years and all of a sudden their tax sky rockets, you know usually when you buy a house you probably stretch your ability to begin with and then a first or second child comes along and all of a sudden you are strapped, really strapped, and then to be hit with a 50 or 60% increase. I'm curious why it always seems to be the ten year. It helps me, I've been in my home for twenty years, but what happens with a young family. Where is the protection for them? I can see maybe when you first buy a home if there is an increase in value for the two year but that should be up front so that that couple knows what their payments are going to be. What I'm asking maybe is for Council, can we send a letter and get some guidelines and what would happen if we, why not include everyone who buys a home within the two-three years once the value is there so that they know up front what they are facing?

Mr. Ricciardi:

Our taxing mandates are actually given to us, the authority, by the state and when the state passed their act that was one of the particulars that they pointed out - a ten year residency, so even though I agree with Mr. O'Connor our statements need to be directed toward the state legislature and not either to the school board or ourself. Obviously if we do it here, I'm sure most of us would say well it doesn't matter if it's either one year or ten years or twenty years, but the reason we passed the Gentrification bill in the City of Pittsburgh as written for the ten year residency is because we had to parallel Act 146 of the state. Mr. O'Connor raises an excellent point, by the way.

Mr. Hertzberg:

My understanding of what went on in the State Senate yesterday and it was only in a particular committee was for that type of legislation, that there was no authorization except, at least the ball has started rolling. Where it will go though we don't know how far it will get, whether that will end up being approved ultimately we don't know. In the meantime if the school board would at least take this small step which is all they can take until the state acts, I think this is an appropriate motion for resolution.

The Chair:

I support the resolution. Let's be clear, the state action, if it is finally approved by the

governor and its not clear yet necessarily what his position would be, would basically instruct or obligate all taxing municipalities be they school board or other local municipalities, the other 129 outside of the city that did not take this action that Mr. Ricciardi led a couple of years ago when the state legislature initially provided us with this option as Mr. Onorato talked about. We should be clear that we made this call to the school board a considerable time ago, and Mr. Ricciardi himself appeared in those chambers at the school board to speak about this issue and I think Mr. Hertzberg's point is well taken notwithstanding what the final action will be, if any, by our illustrious legislature and the governor who are calling on the school board to match the commitment of this council in regards to this legislation. We can get off and talk about a lot of other issues, about the inequity of the Assessment System itself and a lot of other issues. I do want to state, I'm sure all council members as well as myself, repeatedly get calls from city residents regarding the assessment issue and I want to make it clear to the listening audience that city government has nothing to do with the reassessment mechanism, and administrative procedures that are in place. We receive at the end of the year notification from the county as to what our annual assessment wealth or obligations are. We do not have any administrative or legal function as city government to do anything with the assessment. We live with it along with the other

municipalities. I do want to make one footnote, that part of the concern I have is that the city, for a long time, city residents regardless of the income level of our neighborhoods, have disproportionately borne the burden of the re-assessment revenues. We have consistently been reassessed in the city throughout everyone of our eighty-eight neighborhoods year after year after year. I'm glad now that finally the reassessment officers have gotten out to the bedroom communities and all of a sudden now it's become a hot, political issue so I applaud them. But I would-think that many of those communities that are upset, again we're talking about fair market value of a property, its objective observation, it's an objective means by ascertaining what the responsibility is of a property owner. We've been paying that burden in the city. Now all of a sudden it's out in the suburban communities and finally it's getting out and making people who have spent and created wealth and value to their property \$250, \$350, \$400,000 they're finally now starting to pay their fair share. Notwithstanding the issue that we need to be reasonable on how great that increase is each year. I just want to add that as an editorial footnote.

Mr. Onorato:

You make a very good point, Mr. President, that historically the reassessment and the assessment of the properties have been lagging and what has happened is the city, the school board and the county all have these millage

rates based on this lag in assessments. If we are going to all of a sudden catch up on assessments in a matter of a three year period, their mileages should reflect that, cause they're currently reflecting a lag time so if we are catching up, we do have some authority here to review the mileage, both the school board, City Council and at the county level if we are going to all of a sudden now have assessments that reflect true market value. They currently have no reflection on that.

The Chair:

I only want to make the point politically, since the media is listening and the public, that part of the focus, and I don't want to get off on a tangent, on some of our smaller communities out in the suburbs. They need to look at the issue of their local school boards who have basically reaped disproportionally large sum of revenues because of the inequity in the reassessment system. Now they have large sums of money. For those communities that are protesting our concerned should re-focus their energies as you have stated, on local municipalities, governing boards and local school boards and give them a corresponding decrease in the amount of taxation on their mileage. So again, any other comments on Mr. Ricciardi's motion to the school board.

Mr. O'Connor:

I just had a constituent call me the other day and they'll all, I'm sure we are getting all the

calls and confusion and he said my property values may be going up, and he said my pension and social security checks hasn't gone up. It's really hurting a lot of people but, also the confusion I just filled out my form for the county and now I have to do a city and a state while we're trying to work with the city and county, there may be a way to have one form for Gentrification to make it more simpler. You almost need an attorney to fill all these things out and where they all go so it's very hard on a lot of people.

The Chair:

That issue is not addressed in Mr. Gamble's legislation. As you know, each one of us has a separate taxing authority, school board, city government and the county so unfortunately there is not an easy mechanism to do that. I would suggest people contact their finance department here in the City of Pittsburgh, the main city number 255-2100 and ask for the finance department for the appropriate form. What we could do in addition, to supporting Mr. Ricciardi's proclamation to the school board is send a note to the appropriate individuals on this issue of coordinating the forms so people can benefit from the Gentrification issue.

The Chair:

All in favor. Motion carries. We will communicate that to all members of our elected school board.

At this time we will move to the presentation of papers.

PRESENTATION OF PAPERS

Mr. Cohen presented:

No.135 Resolution authorizing the City Controller to transfer One Hundred Ninety Thousand Dollars (\$190,000.00) from Code Account 1400-1, Index Code 140012, Premium Pay, to Code Account ETATF, Index Code 252023, Emergency Telephone Act Trust Fund, Bureau of Administration, Department of Public Safety.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Onorato seconded the motion.

Which was read and referred to the Committee on Finance.

Also.

Mr. Cusick presented:

No.136 An Ordinance supplementing the Pittsburgh Code, Title I - Administrative, Article VII- Procedures Chapter 161 - Contracts by adding a new section 161.26 Notification of Council of Emergency and Maintenance Contracts.---(SPONSORED BY MR. CUSICK)

Also.

No.137 Resolution amending Resolution #289, effective April 10, 1991, entitled "Resolution for

an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants for Design Services in connection with the Widening of Penelope Street; and providing for the payment of the costs thereof," by increasing the total project allocation by \$25,000.00 from \$150,000.00 to \$175,000.00, chargeable to and payable from Code Account EC 90-46, 3-13-10-0200-90, Index Code #813659.

Also,

No.138 Resolution providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants for Engineering Services in connection with the Design of the Replacement/Rehabilitation of the Allegheny Park Footbridge; at a cost range of \$10,000 or more but less than \$25,000, and providing for the payment of the cost thereof, chargeable to and payable from Code Account EC 94-293, 3-13-05-0705-94, Index Code #871368.

Also,

No.139 Resolution providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for Engineering Services in connection with the Design of the Rehabilitation of the McArdle Roadway with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof, at a cost range of \$500,000.00 or more, but less than \$700,000.00, chargeable to and payable from Code Account EC94-587.

3-13-05-0427-94, Index Code #871327.

Which were severally read and referred to the Committee on Engineering and Construction.

Also,

No.140 Resolution providing for a Contract or Contracts, or use of existing Contracts in connection with the Full-Depth Asphalt Program; and providing for the payment of the cost thereof, at a cost range of \$150,000.00 or more, but less than \$250,000.00, chargeable to and payable from Code Account EC94-1125, 3-13-01-0428-94, Index Code #871046.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Darkins presented:

No. 141 Resolution repealing Resolution No. 903, approved April 2, 1993, entitled: "Resolution amending Resolution No. 830, approved July 9, 1993, entitled: "Providing for an Agreement or Agreements with Peabody High School, for the Peabody High School Band Parents, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh. The total cost of the agreement shall not exceed \$1,000.00 and shall be chargeable to and payable from Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation" by including Lincoln, Lemington, Belmar, Revitalization & Development Corp. as the conduit

group.---(SPONSORED BY DUANE DARKINS)

Also,

No.142 Resolution providing for an Agreement or Agreements with East Liberty Development Corp. on behalf of the Peabody High School Ban Parents, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh. The total cost of the agreement shall not to exceed \$1,000.00 and shall be chargeable to and payable from Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation.---(SPONSORED BY DUANE DARKINS)

Which were read and referred to the Committee on Public Works.

Also,

Mr. Hertzberg presented:

No.143 Resolution providing for a Lease or Leases and/or License or Licenses Agreements with the Salvation Army for the use of the facility located at 1821 Broadhead-Fording Road, Pittsburgh PA 15205, as a Recreation Center. The total cost shall not exceed Thirteen Thousand Dollars, (\$13,000.00) Dollars payable from Code Account 1801, Miscellaneous Services, Index Code 180109, in the Department of Parks and Recreation.

Mr. Hertzberg moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which

the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cusick seconded the motion.

Also,

No. 144 Resolution providing for a Lease or Leases and/or a License or Licenses for the use of certain property for a Community Recreation Center located at 200 Tabor Street at a yearly rental cost not to exceed Nine Thousand Nine Hundred (\$9,900.00) Dollars, payable from Code Account 1801, Miscellaneous Services, Index Code 180109, in the Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

Also,

Mr. Onorato presented:

No. 145 Resolution providing for the issuance of a \$780.00 warrant in favor of Donald G. and Colette Williams in settlement of claim for sidewalk damage due to City tree roots at 4769 Wallingford Street, charging same to Code Account No. 46, Judgments.

Also,

No. 146 Resolution providing for the issuance of a \$1,333.93 warrant favor of Huntington Acceptance Company in settlement of claim for automobile damage, for auto sold at City auto auction as lienholder had not been notified as required in the Motor Vehicle Code of Pennsylvania,

chargeable to and payable from Code Account No. 46, Judgments.

Also,

No. 147 Resolution providing for the issuance of a \$1,000.00 warrant in favor of Computer Transport in settlement of claim for property damage incurred when claimant's truck struck an overhead railroad bridge at South 21st and Josephine Street, charging same to Code Account No. 46, Judgments.

Also,

No. 148 Resolution providing for the issuance of a \$987.14 warrant in favor of Stephen Glickman for property damage incurred when a water line broke after the installation of a remote water meter at 428-430 Oakland Avenue, charging same to Code Account No. 46, Judgments.

Also,

No. 149 Resolution repealing Resolution approved on April 7, 1992, authorizing the sale of property in the 26th Ward of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance

Also,

Mr. Smith presented:

No. 150 Resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the

publicly-owned property in the 10th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 50-L Lots 54 and 55, under the Residential Land Reserve Fund. (Council District No. 7)

Also,

No. 151 Resolution approving execution of a Contract for Disposition by sale of land by and between the URA of Pittsburgh and Paula Shields Barnett for the sale of Block 50-L Lots 54 and 55 in the 10th Ward of the City of Pittsburgh (SIDEYARD). (Council District No. 7)

Also,

No. 152 Resolution approving execution of a Contract for Disposition by sale of land by and between the URA of Pittsburgh and Friendship Development Associates, Inc., for the sale of Block 50-R Lot 7, in the 10th Ward of the City of Pittsburgh in the amount of \$2,200 (RESIDENTIAL REHABILITATION). (Council District No. 7)

Also,

No. 153 Resolution approving execution of a Contract for Disposition by sale of land by and between the URA of Pittsburgh and Spring Garden Neighborhood Council, Inc., for the sale of Block 24-F Lots 283, 284A, 284B, 284C, 286A, and 287 in the 24th Ward of the City of Pittsburgh (RESIDENTIAL CONSTRUCTION) (Council District No. 1)

Also,

No. 154 Resolution approving execution of a Contract for Disposition by sale and land by and between the URA of Pittsburgh and Bloomfield-Garfield Corporation for the sale of Block 83-J Lot 64, in the 11th Ward of the City of Pittsburgh for the sum of \$3,000 (RESIDENTIAL REHABILITATION) (Council District No. 9)

Also,

No. 155 Resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any, in and the publicly-owned property in the 15th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 54-K, part of lots 140 and 276, under the Residential Land Reserve Fund. (Council District No. 5)

Also,

No. 156 Resolution approving execution of a Contract for Disposition by sale of land by and between the URA of Pittsburgh and Greenfield Terrace Apartments, Inc., for the sale of Block 54-K, part of lots 140 and 276 in the 15th Ward of the City of Pittsburgh for the sum of \$3,000. (SIDEYARD/PARKING) (Council District No. 5)

Also,

No. 157 Resolution authorizing the URA of Pittsburgh to submit an application for financial assistance in the amount of

\$400,000 to the Pennsylvania Department of Community Affairs for the North Shore Redevelopment Project Area. (Council District Nos. 1 and)

Also,

No. 158 Resolution authorizing a Cooperation Agreement with the URA of Pittsburgh for the North Shore Redevelopment Project Area providing for the reimbursement by the City of Commonwealth for any expenditures found by the Department of Community Affairs to be ineligible and obligating the City to pay any local share of project costs. (Council District Nos. 1 and 6)

Which were severally read and referred to the Committee on Planning, Housing & Development.

Also,

The Chair presented:

No. 159 Resolution authorizing and directing the Director, Department of General Services to conduct a public auction to sell certain Bureau of Cable Communications set accessories.---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on General Services.

Also,

No. 160 Communication from David B. Washington, Executive Director, Housing Authority of Pittsburgh, submitting the names, positions and salaries of each employee of the Housing Authority as of January 1, 1994.

Also,

No. 161 Communication from Jacqueline Morrow, City Solicitor, submitting the quarterly report of the settlement of small claims not exceeding \$750.00 for the Fourth Quarter of 1993, payable from Code Account No. 1081, Petty Claims. Also

The Chair:

The first bill will come up on next week's agenda, and the later two bills that were read by the Clerk, I'll entertain a motion to receive and file.

UNFINISHED BUSINESS

The Chair:

Members of Council under Unfinished business, does the Clerk or members have any matters to bring before this body?

One brief matter. This is a follow-up from Councilman O'Connor's initiation on the issue a few weeks ago. I've scheduled an executive session with Mayor Murphy for tomorrow morning, Wednesday, February 9th at 9 a.m. The meeting will be held in the Mayor's conference room. The agenda of the meeting will be limited to the following two topics:

1. Consideration of the stadium lease;
2. Discussions of the strategy regarding the lawsuit still outstanding filed by the Pirates against the City of Pittsburgh.

The agenda is specifically limited to these two topics and is in compliance with the requirements of the Pennsylvania Sunshine Act. I have spoken to all of you and I hope we have a full attendance for that meeting.

At this time we'll move to Reports of the Committee.

Mr. Onorato presented:

Report Of The Committee On Finance For February 2, 1994, with an affirmative recommendation.

Bill No. 81. Resolution providing for the issuance of a warrant in favor of the Zoological Society of Pittsburgh in the amount of \$400,000.00 for Various Capital Improvements, and providing for the payment of the cost thereof.

Also,

Bill No. 82 Resolution providing for the issuance of a warrant in favor of Pugliano Construction Company in the amount of \$80,603.00 in partial payment of an Emergency Contract for the construction of a Retaining Wall for Calera Street, located in the 31st Ward, 5th Council District; and providing for the payment of the cost thereof.

Also,

Bill No. 83 Resolution providing for the issuance of a warrant in favor of Thompson Construction in the amount of \$122,424.50 in partial payment of work performed on the Construction

of EMS Station #10; and providing for the payment of the cost thereof.

Also,

Bill No. 84. Resolution Providing for the issuance of a warrant in favor of Golden Triangle Construction Company in the amount of \$117,391.07 in payment of the City-County building Sidewalk Construction; and providing for the payment of the cost thereof.

Also,

Bill No. 90. Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania for refund reimbursements received from Western School of Health and Business Careers, Inc. in connection with two SPOC participants who withdrew from training under a contract agreement that ended June 30, 1993.

Also,

Bill No. 91. Resolution authorizing the periodic issuance of warrants in favor of the Commonwealth of Pennsylvania to pay the City of Pittsburgh JTPA Program's share of the statewide on-line computer system cost for the period July 1, 1993 through June 30, 1994. The total of the warrants will not exceed thirty one thousand seven hundred fifty two dollars (\$31,752.00).

Also,

Bill No. 92. Resolution

providing for an agreement with Dickie, McCamey & Chilcote, P.C. for professional legal services for the City Controller, in the amount not to exceed \$75,000..

Also,

Bill No. 93. Resolution providing for conveyance by the City Of Pittsburgh of certain property, under act No. 171 of 1984, Entitled, "Second Class City Treasurer Sale And Collection Act", effective December 11, 1984.

Also,

Bill No. 109. Resolution providing for an agreement or agreements with an accounting firm to provide professional auditing services as required by the Pennsylvania Department of Labor and Industry in connection with the Job Training Partnership Act (JTPA) Program and providing for the payment of costs thereof. Cost should not exceed \$30,000.00.

Also,

Bill No. 116. Resolution amending Resolution No. 1448, Item A, effective December 31, 1993, which authorized the sale of a three story, brick house situated on a lot 20 x 110, 10th Ward, Block 50 F, Lot 73, 4812 Rosetta Street, to Valerie L. Reuben for the amount \$10,000.00, by changing the amount of sale from \$10,000.00 to \$6,000.00, district 7.

The Chair:

You've heard the reading and title of the bills, is there any discussion?

Mr. Cusick:

Mr. President, I would like to speak today on bills 82, 83 and 84. Today I introduced legislation that will help prevent members of Council from being kept in the dark as many of my colleagues have by the past administration. In the short time I've been on Council I've had the opportunity to witness first hand and taken heat on contracts that Council should have been made aware of before they were executed. Some of these contracts include the repair of Council chairs in Council Chambers, the repair of sidewalks on the City County Building. Also some of them that we have in front of us today are on the fire station on the Northside. I think its very important that we have our comments brought forward, at least I would like to have my comments brought from Wednesday's meeting. We should have the opportunity before a bid goes out to ask the city employees why they feel they could do the job in-house. My intent is simply to keep us inform before the facts on contracts relating to City affairs so we may vote intelligently on them when they appear on the agenda and before the work has been done. My intent is not to tie the hands of the director by asking for authorization. We simply want to be informed before hand in writing on letting the substantially sized contracts of \$25,000.00 or more. I feel that between this legislation and the Murphy Administration we can keep in light and feed on some of the truth on the letting of contracts.

REFER TO END OF TRANSCRIPT FOR
COUNCILMAN CUSICK'S COMMENTS ON
BILL NOS. 81, 82 and 83.

The Chair:

Thank you Mr. Cusick. Any
other comments?

Mr. Onorato:

Bill 84 says affirmatively
recommended. What was the vote?
This is a warrant and I think it
needs 6 votes?

The Chair:

The bill did not have the
necessary numbers of votes to be
approved as a warrant which
requires 6 votes.

Mr. Onorato:

But Bills 82 and 83 did? Is
that correct?

The Chair:

Yes. There's really no bone
of contention on the substantive
issue involved with these other
two bills. There was a lot of
question and debate and I hope
that this Council will not approve
the warrant on Bill 84 regarding
Golden Triangle Property.

Mr. Onorato:

It gets a negative
recommendation?

The Chair:

No, because of the way the
committee voted. Technically it
got approved, but would not

necessarily have the necessary
votes to be approved by warrant.
The issue today is that I would
hope that Council if I could take
back the floor, would continue to
vote no on Bill 84 hoping to table
this bill until such time that we
could sit down with the
administration and discuss the
issue further. Mr. Ricciardi had
his hand up I believe?

Mr. Ricciardi:

We can take that action or I
mentioned to the finance chair Mr.
Onorato we should have this bill
re-submitted. There were
questions that I had asked, plus I
had asked the director to please
call my office so I could visit
the site of the sidewalk to see
why there was a difference between
what the initial contractor laid
in relationship to the inches that
were required when we laid the
sidewalk. So we can take one of
two actions, that is to defeat the
bill all this week since it only
receive four votes last time or
have it recommitted I'm going to
leave that as the discretion of
the Finance Chair.

The Chair:

One suggestion just in terms
of the time table and the
schedule, of this this council, we
always get in this bind of
recommitting bills only to have
them not answer questions. I
would suggest we vote no and in
effect table the bill, give us an
opportunity through the chairman
of that committee to sit down with
the administration, review some
additional information. We always
have the option to bring the bill

back up once we feel comfortable.

Mr. Cusick:

Mr. President, I would ask that this Council vote to pay these three bills, and for one reason. I think that we brought up some very good and valid points at our last Wednesday's meeting. The work was done. We have a responsibility to pay these. We do have the word of our director that this will not happen in the future and I think that again, my bill takes care of that. They will be notifying us on or before they execute any contract regarding emergency or maintenance.

Mr. Smith:

I believe that we owe the money to the individuals. It is our process and procedure that permitted this to occur and I think that we should pay our obligation not hold them hostage for the policy and practice that was done by the last administration. We do need to address the issue for the future and may I just tell you that the B contract was just let for \$343,000.00 for sealing cracks in the City and I'm sure it's not anything near the prevailing wage or MBE-WBE'S, so it's our process and procedure that we continually have a problem with, and we should not hold them hostage for what we did.

Mr. Ricciardi:

The problem with voting yes for this bill is we lose our

leverage. Everyone knows who served here for a few years that once, if we approve this bill, the answers will not be forth coming, but we've seen this through a track record in the past with any and all directors or any and all administrations and its not going to change. I would hope my colleagues vote no on this bill so we have the leverage for the additional week or two to get the information that we requested.

The Chair:

Just in response to Mr. Smith, I appreciate what you are saying Councilman, but -I want to be clear. Unless you signed something, I signed no such interim approval last year in regards to this contract activity. I don't know if you did or if other colleagues did. I don't know if interim approval was requested or signed by a majority. I don't think that is the case so I just want to be clear that there is a clear violation of the even the established procedures on this issue.

Mr. Cohen:

Thank you Mr. President. I thought I might suggest a compromise here and that would be to recommit the bill. Obviously there are other outstanding questions on the bill that Mr. Ricciardi and other people have and we should give them the opportunity to ask those questions.

The Chair:

The Chair is waiting for a motion to be made.

Mr. Cohen:

I'm not finished yet.

The Chair:

I'm not cutting you off today.

Mr. Cohen:

Let me just say that this and Councilman Cusick, Smith and others made this very clear last Wednesday, but I don't think we can--it bears repeating, and that is that Council did not get advance approval of this. It was not properly bid; it was not competitively bid; it did not have prevailing wage; it did not have minority participation; everything was wrong with this. At the same time somebody did the work and somebody needs to get paid. So I think that we should recommit the bill but at the same time, put E & C and any other department on notice that if they try to do this again it's not going to be approved.

The Chair:

Councilman Darkins is next and we'll let Mr. Cusick have the last word since he is Engineering and Construction.

Mr. Darkins:

Mr. President I'm for putting a motion on the floor to recommit this bill.

The Chair:

Okay we are going to vote on this very shortly. Mr. Hertzberg has one brief comment.

Mr. Hertzberg:

There are two bills here that I'd like to speak about.

The Chair:

Let's just concentrate on Bill 84 and then we'll go through the motion of recommitting and then we'll go to the other bills.

Mr. Hertzberg:

Thank you. I'm in agreement with Mr. Smith relative to 84. I'm satisfied that the work was done and that the price that we're being requested to pay is an appropriate amount. Whatever went on in the past may not have been appropriate. I don't know whether we can change that today other than through methods like Mr. Cusick has proposed with the bill he has initiated today where we're going to have a little more control over this kind of thing in the future. I don't know if there is anything we can do now and I did abstain in the committee vote last week but I would vote affirmatively today if we get to that on number 84.

The Chair:

There is a motion on the floor for recommittal.

Mr. Cusick:

I would just like to say that I really believe that we should

vote in the affirmative for this. Again, if my colleagues are not aware of the bill that I did introduce today and if I may just read it briefly, "Notification to Council of emergency and maintenance contract prior to the request of bids on all emergency and maintenance contracts exceeding \$25,000.00 or prior to authorizing work to be performed using the existing B contract exceeding \$25,000.00. Council shall be notified in writing by the Department Director requesting services of the specific projects. Council shall also be provided with a list of names and addresses of all bidders by the Director of General Services on contracts exceeding \$25,000.00. Again Mr. President, what happened on last year's Council, and what's happening this year, this will never happen again.

The Chair:

The motion for recommitment is made because of additional questions and concerns that Council Members have. If you are opposed to recommitting this and you want to vote in the affirmative, then I would suggest that you vote No on the recommitment. If not, unless there is another concern, Mr. Onorato, I would call at this time for the motion to recommit for further discussion. Would the clerk please call the roll on the recommitment of Bill 84.

ROLL CALL

AYES:

Mr. Cohen
Mr. Cusick
Mr. Darkins
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Ferlo, Pres.

NOES:

Mr. Hertzberg
Mr. Smith

The Chair:

Bill 84 is recommitted to committee. Any other discussion on other bills?

Mr. Hertzberg:

Thank you. On Bill No. 81, it's the bill that relates to a \$400,000.00 expenditure to the Zoological Society of Pittsburgh. I just wanted to state that I did meet with the Mayor's assistants and they explained to me fully the source of the funding and where it is going and the entire arrangement and I want to state that I'm not convinced and I'm not going to vote in favor of this expenditure to the Zoological Society. I'm not in favor of the entire privatization arrangement and that's exactly what it is, and I think with the regional asset district legislation that we had the state pass, that we have a new opportunity to revisit this measure and in fact there is a provision within the lease that I believe could be used to do just that and I'm not convinced that

the Mayor's office has done anything in that direction or intends to, and so I will be voting against bill number 81 and when we get to bill number 80 and 88 that also relates to the Zoological Society, I'll also be voting against those.

The Chair:

Just by way of clarification, there are three bills up for final action today: Bill 81 which is under Finance, Mr. Hertzberg has just spoken about that bill; Bill 80 and 88 also are companion bills dealing with this issue. They are to be read later in the Parks budget.

Any other discussion on any other matter on the bills before us in Finance?

The bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called, all opposed will vote no. Will the clerk please take the roll.

ROLL CALL

AYES:

Mr. Cohen
Mr. Cusick
Mr. Darkins
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, Pres

Noes:

Mr. Hertzberg - Bill #81
Mr. Ferlo - Bill #81

Bill No. 81 -

AYES 7

NOES: 2

All Other Bills:

AYES: 9

NOES 0

The Chair:

The bills, having received the legally required number of votes have passed finally.

We now move to Committee on Public Works.

We have one negative recommendation so I hope it will continue to be a negative recommendation, and that is Bill No. 18 under Public Works.

Mr. Darkins presented:

Report of the Committee on Public Works for February 2, 1994 with a negative recommendation.

Bill No. 18 - Resolution granting unto National Development Corporation the privilege and license to construct, maintain and use at their own cost and expense one double-faced business identification sign in the right of way of 529 Liberty Avenue in the 2nd Ward.

The Chair:

You have heard the reading and title of the bill. Is there any discussion?

Mr. Smith this is your Council district.

Mr. Smith:

Yes, this is presently in my

Council district and I would just like to say to my colleagues that there are changes that occur and people always fight change. We are attempting to change the image of our downtown area. We have the legal right to deny the use of this sign. I would trust that for the overall and future generations of the City of Pittsburgh, for the economic and aesthetic development of downtown, that you would vote against this bill. Thank you.

The Chair:

Other discussion?

Mr. Hertzberg:

If this is a bill that relates to a sign at 529 Liberty Avenue, I again will vote in favor of this. I think the Director of Public Works satisfactorily explained to everyone here the legality of the proposed use. I'm not sure what Mr. Smith knows about it that I don't know, but Mr. Kraszewski, in his opinion, saw everything as being done in the appropriate manner with this sign. If we vote no on this sign I think we're sending the wrong message to Downtown Pittsburgh and the merchants that are in Downtown Pittsburgh. We should be thankful for everyone of them that we have, we don't have enough of them. Let's don't tell them we don't want them. Let's tell them we're friendly to them. This sign is not going to kill Downtown Pittsburgh. Liquor is not going to kill Downtown Pittsburgh. In fact, the liquor store as they're run now by the state are run in the most reasonable and

conservative manner that liquor stores can be run. I'm in favor of this. I hope everyone will send a message to the merchants in Downtown Pittsburgh that we appreciate you and we're not going to give you a hard time on things like this.

The Chair:

Just in response, this has nothing to do with legality or sending a message to Downtown merchants--it has everything to do with one particular property owner trying to get over and get around an established system regarding zoning laws. This is an attempt to circumvent the Board of Adjustments. This sign is not permitted and it's not an allowable sign and I think this process is circumventing the zoning code enforcement procedure. I don't think we need to go out of our way in the Downtown corridor to promote alcohol and spirits. This building and this retailer, the liquor store, LCB, has two prominent signs that are faced on that building and I question the aesthetics, the validity and the process on the circumvention and final approval that is being sought by this body of the overhead hanging sign in a corridor that this Council and previous Mayors and Administrations have spent millions of dollars in terms of upgrading and given its historic character in the quality of the cultural district.

Any other comments or concerns on this issue?

This bill is up for final action all in favor of the passage of the bill will vote Aye when your name is called, if you are opposed to the bill, please vote No.

Mr. Smith you have your hand up.

Mr. Smith

Does the fact that there is a negative recommendation change the vote. What I'm asking is Aye means you are in favor and No is against?

The Chair:

If you vote Aye you are in favor of giving the approval. If you vote No you continue to vote in opposition to the approval.

Mr. O'Connor:

I agree with Mr. Hertzberg. It will hurt the property value there and I do think it sends the wrong message to Downtown businessmen and women. One of choices might be, because that's been there seventy-five maybe a hundred years, that sign--one of the choices we may have is that the sign will sit with no glass or plastic inside. So I don't know if we talked to the owner of the property but I think he would have the right. I don't think we could remove the sign, and I would hate to see it sit there with an empty face because the old fast food restaurant had one. I would like you to think about that and I support it because I think it's--although I realize your point is well taken about liquor--liquor is

legal and it's selling and it's not inappropriate. It's a a very well run establishment and its in the open. I think it sends a negative message to business by forcing to take down existing signs that have been there for over seventy years.

The Chair:

Again, just to clarify this signage. This sign has not been there for seventy-five years, it is a recently and newer constructed sign.

Mr. Smith:

I just find it very interesting that I've lost so many colleagues between Wednesday's vote and today's vote and I think that you need to be careful that we're doing something for the city as a whole. It is not against a liquor store, it is against a sign that no longer conforms to the style that we want in Downtown. We talk about taking away their right. They have a double-faced sign facing both directions. The third sign has been empty. We also had signs along this street that announced Girls! Girls! Girls! and Massage! Massage! Massage!. Are you telling me that these signs were appropriate hanging out over the streets? Undoubtedly, someone felt they weren't, as we brought them up and removed these signs. So please, let us not confuse the issue and I hope that we can defeat this today.

Mr. Ricciardi:

Just in closing colleagues, we

have legislated signage in the past through the Pittsburgh Code which has a signage ordinance into it and I would just like to say, Placement of signage, including the dimensions of signage, is so important to a flourishing business corridor and that has been proven by the Southside corridor. So I can see why there is opposition to this sign and I definitely support Mr. Smith's position on it who represents that community.

Mr. Onorato:

Obviously there is a debate here and I don't want this to turn into a pro-business or anti-business. What I would recommend, especially if this bill gets voted down, that we have the Directors of Public Works and maybe City Planning, send a letter to the owner of this property explaining what is allowed and to cooperate with this owner to try to get him a sign that fits within the district and that will compliment the area as opposed to just saying no, that's it, cause there are signs that are permitted and that way we'll will show that we are going to stand by the law, we're going to promote the aesthetics Downtown, but at the same time, here's what you can do. I think that we should send that letter.

The Chair:

I agree with you and I think further I would ask that the property owner meet with the Council District Member involved in this issue as I think that we would want that same courtesy

extended to any of us as District Council Members.

The bill is up for final action all in favor of passage of the bill will vote aye when your name is called, if you continue to oppose the bill vote No. Will the clerk please take the roll.

ROLL CALL

AYES:

Mr. Cusick
Mr. Darkins
Mr. Hertzberg
Mr. O'Connor

Noes:

Mr. Cohen
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, Pres

AYES: 4

NOES: 5

The Chair:

Bill No. 18 is defeated, having failed to receive the legally required number of votes, is defeated. And the others, having received the required number of votes, are passed finally.

Mr. O'Connor presented:

Report of the Committee on General Services for February 2, 1994 with an affirmative recommendation

Bill No. 79: Resolution providing for a Contract or use of existing contracts to purchase flame-fire penetrating nozzles and accessories for the Department of

Public Safety, Bureau of Fire at a cost not to exceed \$17,000.00.

The Chair:

You've heard the reading and title of the bill. Is there any discussion on the bill?

The bill is now up for final action. All in favor of the passage of the bill will vote Aye when your name is called, others opposed will vote No. Please take the roll.

ROLL CALL:

AYES

Mr. Cohen
Mr. Cusick
Mr. Darkins
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, Pres

AYES: 9 NOES: None

The Chair:

The bill, having received the legally required number of votes has passed finally.

Mr. Hertzberg presented:

Report on Committee of Parks and Recreation for February 2, 1994 with a affirmative recommendation

Bill No. 80 Resolution amending Resolution 1454 effective January 1, 1994 entitled "Adopting and Approving the 1994 Capital Budget

and the Community Development Block Grant Program; and approving the 1994 through 1999 Capital Improvement Program," by providing 1994 funding for Project No. 94 Zoo Master Plan Implementation.

Also

Bill No. 88 Resolution amending Resolution 1399, approved December 14, 1993, entitled "Resolution authorizing and directing the Mayor and the Director of Parks and Recreation to enter into a lease and Agreements with the Zoological Society of Pittsburgh in connection with the taking over of the zoo operations by the Zoological Society of Pittsburgh and payment by the City to the Zoological Society of Pittsburgh of an amount not to exceed \$2,850,000 .

Also

Bill No. 95 A Resolution providing for an agreement designating property to be used as the site for the erection of the Korean War Veterans of Western Pennsylvania Memorial monument.

The Chair:

You've heard the reading and title of the bills. Is there any discussion on the bill?

Again there are two bills in relation to the Zoo, Bill 80 and Bill 88 in relation to the bill authorizing the final approval which has been supported by all of our colleagues including those colleagues who did spend some time with the Korean monument committee, War Veterans monument

committee, I do want to call attention we have Mr. Natoli in the audience, Director from the Allegheny County Government, the Bureau Chief of Veterans Affairs, and obviously he's here and very excited about Council's final approval and expediting along this authorization. It's the beginning of a very long process to raise hopefully close to a million dollars of contributions in order to honor the men and women involved with the Korean War. It's going to be a tremendous addition to the North shore around the stadium, part of Clemente Park, and it will add to the splendor and to the public walkway in that corridor. It will add another significant monument in addition to the Vietnam Veterans monument. So we want to take final action. We ask the administration to expedite and fast track this approval.

Any discussion on any matters before us?

Mr. Cohen:

Thank you Mr. President. I just want to echo your comments and thank Director Natoli for being here today and for all the work that he's done for this Korean War Monument. At the time it was called a police action, we all know that it was not a police action, it was a war and it was a war in which many Americans lost their lives fighting for their country so I look forward to having this memorial go up and to have it be an important asset to the City of Pittsburgh.

The Chair:

Any other discussions on any matter in the Parks Department?

The bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called, all opposed will vote No. Will the clerk please take the roll.

ROLL CALL

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, Pres

NOES:

Mr. Hertzberg & Mr. Ferlo:
Bill 80 & 88

The Chair:

The bills, having received the legally required numbers of votes have passed finally.

Mr. Cohen presented:

Report of Committee on Public Safety for February 2, 1994 with an affirmative recommendation

Bill No. 94 - Resolution authorizing and directing the Director of department of Public Safety to conduct a study of homicide activity in the City of Pittsburgh within ten (10) days of final passage of this resolution.

Also,

Bill No. 96 - Resolution authorizing and directing the Director of the Department of Public Safety to grant a reward from the Graffiti Trust Fund.

The Chair:

You have the reading and title of the bills. Is there any discussion?

Just on the graffiti trust fund, these are two young people that came forward and provided information to the police bureau in relation to the arrest of an individual involved with graffiti vandalism on the zoo mural wall in Highland Park and we continue to applaud those citizens who come forward with information. This is a problem that we want to attack in not only my neighborhood but throughout this City.

Mr. Cohen:

Thank you Mr. President--a related issue on the graffiti case and that is, if you recall I had a proclamation for a group called TEENFORCE, and as they were walking out they said they had about thirty people who are interested in working to take graffiti off of buildings and I was thinking as they did that there may be other people in the City of Pittsburgh who would like to volunteer too. I wonder if we could tell them how they can best volunteer through the Public Works Department to remove graffiti, particularly when Spring comes. How do they go about doing that?

The Chair:

Well in terms of graffiti removal, there are a number of initiatives at the neighborhood level, but I would ask that people would directly call the Mayor's Office at 255-2626 to specifically get in touch with those individuals either in Public Works or NeighborFair that are going to be involved in graffiti removal efforts.

Mr. Cohen:

It is my understanding, Mr. President, I know that it's off the subject, is that the City does provide the tools and equipment and the paint if they are willing to do that at no charge. Is that right?

The Chair:

Yes, we will make materials available.

Other comments? The bills are now ready for final action. All in favor of the passage of the bills will vote Aye when their names are called, all opposed will vote No. Will the clerk please take the roll?

ROLL CALL

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, Pres

AYES: 8

NOES: NONE

The Chair:

The bills, having received the legally required numbers of votes, have passed finally.

Mr. Cusick presented:

Report on Engineering and Construction for February 2, 1994 with an affirmative recommendation:

Bill No. 85 - Resolution further amending Resolution 586, effective June 18, 1991 entitled "Providing for a contract or use of existing contracts for renovation within the City-County Building including electrical service and switchgear; and providing for the payment of the cost by decreasing the total project allocation by \$117,391.

The Chair:

You have heard the reading and title of the bill. Is there any discussion?

The bill is now ready for final action all in favor of the passage of the bill will vote Aye when your name is called, if you are opposed to this bill please vote No. Will the clerk please take the roll?

ROLL CALL

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo. Pres

AYES: 8

NOES: None

The Chair:

The bill has received the legally required number of votes and has passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

Under motions and resolutions, I don't have a paper out here but we will pretend the paper is here. I would ask that a motion be entertained and seconded for the appointment of JoAnn Osborne as the Cable Communication Advisory Committee Member from District 1, Mr. Onorato's district. This is an individual that replaces another individual that had to come off due to a conflict. She attended the meeting last night. We gave interim approval and accordingly I would entertain a motion. It's been moved and seconded. All in favor? Thank you very much. The appointment is approved. We need a motion before we move on to motions and resolutions just to approve the minutes. Motion seconded? Motion carries. Other issues or concerns under motions or resolutions?

Mr. Cohen:

Thank you Mr. President. I have three issues, one longer and two very short ones. The longer one is that I'd like to talk about the criminal bail law. The Sean Rosemond case I think brought attention to a serious problem in our criminal justice system and that problem is when criminal defendants in violent homicide

cases, after arrest, commit new homicides when they're out on bail, and that particular case, Shawn Rosemond on May 5 allegedly killed Jerome Harrison. He was arrested, had a preliminary hearing, was set for trial and bail was set at \$50,000. When he was out on bail he allegedly, on January 27, killed Shawn Greg, age 19, in a drive-by shooting and on January 31, allegedly killed Edward Wallace and wounded Melanie Watkins with a firearm. As I said, this really brought a lot of attention to a gap in our criminal justice system and that is that federal judges have the ability to deny bond to criminal defendants that they deem to be a danger to community, but state judges do not. That case was not unusual according to the study by Michael Fuko and Mark Belco of the Post-Gazette this week. Of the sixty-one people that were charged with homicide in Allegheny County last year, fifteen of them or twenty-five percent are free on bond. As I said, federal judges have the power to deny bond to defendants that they deem to be a danger to the community. I believe that judges should have the ability to deny bond. Now it shouldn't be mandatory of course and we have to be careful here because the primary purpose of setting bail is to ensure that criminal defendants appear for trial. But I do believe there are exceptional cases when in violent homicide cases where bonds should be denied. I do believe that state judges should have the same right as federal judges have. Senator Fisher does have a bill that is before the Senate Judiciary Committee right now that

gives state judges the power to deny bond to criminal defendants they deem to be a danger to the community. The President Judge of Allegheny County, Court of Common Pleas, Judge Robert Dauer, supports it, the District Attorney Robert Colville supports it and I do believe it merits our support as well. Again it would not be mandatory, it would be discretionary on the part of the judge, but I do think the judge should have that power so that we can prevent future killings after arrest. I would like to make a motion to ask that Council support that bill and that we send our support to the members of the State Senate and member of the House of Representatives and also to the Governor.

The Chair:

Motion has been made and seconded.

Mr. Hertzberg:

I have practiced pretty extensively in the area of criminal law over the past ten years. I've practiced both in the Courts of Common Pleas of this county and other counties; I've also practiced before the United States District Court of the Western District of Pennsylvania; represented defendants in numerous jury trials and non jury trials.

I'm not in favor of this motion by Mr. Cohen and there are numerous reasons and I've given great thoughts to this. I have read and observed what is going on with this particular individual. I don't think the public is fully

aware of the entire situation. I don't think the laws of the Commonwealth of Pennsylvania tied the hands of any judge in this matter or in any other matter. I think what you did not hear about was how many times a Court of Common Pleas judge has been reversed when they set a high bail for a homicide case. I think what you need to think about is the fact that the bail was set at \$500,000 for the two individuals charged with the murder of the pizza delivery man. In fact, in this particular case, this individual was on bond for another charge, and it might have been entirely appropriate to deny bond under those facts in this case. For that reason and a lot of reasons I'm against this motion and I've also seen in the federal court system where judges do have the power to deny bail some abuses of that process. In my opinion, a defendant in jail is at a severe disadvantage to a defendant who is not in jail, and if that particular defendant is innocent and they are incarcerated it makes it that much harder for them to prevail a trial and believe me, as many guilty people as we have been able to prevail in these cases, there are a few innocent ones that don't prevail and that is a much larger injustice.

Mr. Onorato:

While Councilman Hertzberg brings up some very good points and you always want to air on the side of the innocent, I support Councilman Cohen. As a matter of fact this is one of the issues I want to talk about today, so I definitely want my name on that

letter with Councilman Cohen. Let me state why. I think this is another example of laws that might be outdated in this Commonwealth, just like I feel a lot of the juvenile laws are outdated.

I don't have a problem giving the judges discretion because as everyone who has been accused and its only alleged that they've committed a crime, there are different facts that come in front of a judge and we have to rely on their discretion. We already have the discretion at the federal level. If we give it at the state level which oversees murder cases, I don't think there's a problem there and there will be recourse if a mistake is made and there are recourses available to individuals, but in this particular case I think that it shows the flaws in the system. What we're asking here is that we just have another requirement that a judge can look at. One is the current one, that if we feel that the person will flee, the judge has the discretion to do it, or if the judge feels that the person is a threat to society. What could possibly happen here if we don't give this discretion is that judge's could possibly make the argument they're a threat to flee just because they think they are a threat and make an argument that they are a threat to flee. I think at this time and the types of problems that we're having, the types of crimes that we're seeing, times have changed. This is 1994 and I think I would rather give some discretion to the judge at this point because it appears the balance of justice is tilted in the wrong direction and that

everything we do and every law that we passed is a balance of the right of the individual against the right of everyone. I think at this point, that giving a judge a discretion recognizes that we want to keep that balance and right now I don't think the balance is intact.

Now granted, there are probably hundreds and hundreds of cases where accused defendants get out on bail and this doesn't happen and this one case, which hits the headlines and goes across every t.v. station and is in every paper, everyone knows about it, but I think that's good, in fact, that everyone now is educated in how the law works for the state versus the federal. At both levels it's an individual sitting on the bench and I don't think there should be a difference between federal and the state. I think these individuals, once they're a judge, should have that discretion and let the system work from there, because we do have to protect society at the same time we protect individuals and this is a good balancing tool and I wholeheartedly support Senator Fisher's bill and I would hope that this body would vote in the affirmative to send our support behind that bill.

Mr. Ricciardi:

I'm in full support of Mr. Cohen's motion today. I believe we should give judges all the additional tools and this tool to deny bail. There have been studies that show, especially in the truth and sentencing studies, that at times violent acts are

committed repeatedly by the same person and judges need the ability to say no, you are a threat to society and we are not going to set any type of bond, and I think that's what Mr. Cohen is bringing forward. He's not in any way trying to take away the rights of individuals or their freedom to defend themselves in terms of court proceedings or what not, but what we're saying is, if we believe you're going to be a threat on society, we don't want you on the streets in the City of Pittsburgh or in the streets of Allegheny County and that's what I believe he's put forward, unless I misunderstood, Mr. Cohen?

Mr. Cohen:

That's correct.

The Chair:

We've heard from all the Attorneys on Council.

Mr. Cohen:

If I may say very briefly, I respect Mr. Hertzberg's point of view. At the same time I want to clarify this. It is not a motion to tie the judge's hands. It's a motion to give the same right to state judges that the federal judges have, to have an option to deny bond if they see somebody in front of them that they believe would be a danger to their community. This would be in rare cases but it would be in cases that involved violent homicides and if it were an option in that particular case, the Sean Rosemond case, there's a possibility that two lives could have been saved.

The Chair:

I'm going to abstain on this issue. One, because I still don't know other than reading the newspaper all the facts behind Judge Manning's action. I know Judge Manning, he's not only hard working, dedicated, qualified, but of all the judges he seems to be one that you can not get over easy on, if I know his behavior in criminal court. I understand from his comments in the paper that he made the point that he did not have certain discretion in terms of making a judgment on this bail, the consideration of whether or not an individual is a threat to the community. Obviously it's a political year so Senator Fisher is quick on his feet to introduce a measure.

I think the whole problem in this issue is a symptom to a larger problem. We've spoken in these chambers. We continue to have inactivity on the part of law enforcement in this county at the U.S. Attorney's Office. I'm still perplexed with the knowledge that we have in the Pittsburgh community. Mr. Cohen, we know the names of several hundred young people who are involved in drugs and criminal activity, be they part of gangs or want to be gangs. I'm still perplexed as to why we have not had the convening of a grand jury to initiate prosecution of these individuals who are involved, clearly in a conspiracy, not only creating carnage on the streets of the city, but are involved in a lucrative business of drug proliferation. We have yet to see that. We've seen rico action

used, an operation rescue. Obviously I had my own view about whether or not people should be picketing clinics but using that as a parallel issue we've yet to see rico being used against individuals who are involved in drugs here in the City of Pittsburgh.

I don't want to side step the issue. I think there needs to be more discussion about this issue. The one concern and reservation I have, and maybe Mr. Cohen and others can speak to it, being attorneys, but I'm a little bit concerned about the issue of race. Disproportionately, young black men, the African American community, is burdened by incarceration and is victimized by the so called war on drugs. I am concerned about the issue of what the judicial system locally will respond to if we give this additional discretion. Will there be a disproportionate likelihood that individuals of a particular racial group will be considered a so-called threat to the community as one standard versus other members of the community. I have significant problems about that in terms of yet adding another level of discretion on the part of the criminal court. My reservation may be unfounded, but I do have that reservation. That is why at this point I am abstaining on the notion because I don't fully understand some of these issues. I don't know if you want to respond to that.

Mr. Hertzberg:

I share your concerns with the issue of race and bail. I thought

the study conducted by the Post-Gazette was very thorough with that exception. I don't believe, at least what was printed in the paper, reflected an analysis of the race of the accused and the race of the victims in each case relative to the amount of bail set. I think they might be surprised at what they find.

The Chair:

I guess my point is, an individual from Fox Chapel who is involved in the actual importing of cocaine comes before the local judge and given his or her class, position, his or her color, his or her "status" in the community, is that same standard going to be applied evenly and equally to other individuals. Again I'm not making excuses for anybody. I just don't want to see a discriminatory practice enhanced within the local Court of Common Pleas.

Mr. Onorato:

In response, like you mentioned that you're not even sure if this is founded, I think at this point the issue of race shouldn't be brought up just for the fact that currently judges have discretion on a lot of issues and if what you're saying is true, it's something that should be addressed across the board.

We're talking about one particular tool to give a judge discretion. If what you've said happened to be true and every judge's discretion shows some systematic result to a certain

race, it's going to come across the board on every decision they make with all their discretion. We're just talking now about giving a judge discretion in another criteria you have to look at, another tool he could use. So I don't think that that is relevant to this particular bill. that's my opinion.

The Chair:

Final comment if you could restate your motion, Mr. Cohen.

Mr. Cohen:

Thank you, Mr. President. I don't think it was appropriate to bring race up either. I do believe that it's important to look and make sure in every case and across the board as Mr. Onorato said, that justice is not being disproportionately applied, absolutely, and it's certainly a strong case that in death penalties that it is disproportionately applied, but the vast majority of victims in these cases are African Americans and certainly in that particular case my understanding is that Jerome Harrison and Shawn Greg and Edward Wallace and Melanie Watson were African American.. So if you really want to bring up race in this, the race of the people who died and were wounded in that were African American. We should be color blind in our justice and just give the judges the option to be able to deny bail so that those people are not killed. If after we give them option the judges disproportionately applied it, then we take action and take that option away.

So the motion is to support Senator Fisher's bill that is now before the Senate Judiciary Committee that gives State judges the power to deny bail when the criminal defendant is deemed to be a danger to the community.

The Chair:

You heard the motion; let's not have any more discussion. I will call the question at this time. All in favor? We'll have a roll call vote on this, Mr. Cohen's resolution to communicate to the Legislature.

ROLL CALL:

AYES

Mr. Cohen
Mr. Cusick
Mr. Onorato
Mr. Ricciardi
Mr. Smith

NOES:

Mr. Hertzberg
Mr. O'Connor

ABSTAIN:

Mr. Ferlo, Pres

The Chair:

The motion carries and we will communicate the resolution to the appropriate body.

Do you have other issues?

Mr. Cohen:

I do, Mr. President, if this is the appropriate time. I'll be

very quick. One is that I've received a number of complaints from commercial owners recently about an alarm fee. As Council knows, the alarm fee for residential false burglar alarms is \$30; for a commercial false burglar alarm it is \$75; for a residential false alarm it is \$150; for a commercial false fire alarm it is \$500. I received complaints mostly from commercial owners saying that alarms that are deemed false by the public safety department are not in fact false. One example that I'll give you is a car dealership in my district where he believes that there are times when somebody jumps over his fence, he heard somebody come, maybe a police officer, jumps back over the fence without any property damage or threat and then the police department calls it a false alarm. I know that Councilman Onorato brought this issue up before and he and I discussed this yesterday. What I'd like to do, Mr. President, is to schedule a post agenda on this issue and have the public safety department there so we can finally resolved the alarm inconsistencies in our policy.

The Chair:

Thank you. Again, the Councilman has called for a Post Agenda. I applaud you on this. You've been struggling for the last several years on this issue, and I hope that we can look at it and actually come up with something meaningful by the end of the year in terms of next year's budget authorization. So you will be calling that post agenda?

Mr. Cohen:

Yes.

The Chair:
Okay. Any other matters
before the body?

Mr. Cusick:

Mr. President. I'd like to make a motion to create a labor management task force to deal with specific issues of prevailing wage and alerting of emergency and maintenance contract. The purpose of this committee is also to improve labor management relations in the city. The labor management task force shall consist of four members of Council, representatives of Labor, the Director of Engineering and Construction, and the Mayor and/or the Deputy Mayor, Mr. Sirabella. The ultimate goal will be to begin to draft a labor management for the city similar to Allegheny County. I would like at this time to ask Mr. Ferlo, Mr. Darkins and Mr. Onorato if they would kindly serve with me on this task force.

The Chair:

I have no problem with creating a special sub committee regarding labor management. You've outlined this with the members and you have discussed this, as well. I think you have a few folks in the community that you would like to have serve on this committee and that's no problem. I'm going to ask that you share this sub committee on labor management in your capacity as Chair of Engineering and Construction.

Mr. Cusick:

Mr. President. I would also

ask the City Clerk's Office if they would send a letter asking the Honorable Tom Murphy or Mr. Sirabella to sit on this committee along with Mr. Reginella, the department Director of Engineering and Construction; Mr. Flaherty, our Controller; Mr. Richie Cont, the Betty Place President; our business agent, Mr. Dave Homen; the President of the Building Trade, Mr. Paul Stackhouse; the President of Allegheny County Labor Council' Mr. Frank Gigliotti, State Representative; and Mr. Hubert Smith, the former City Labor Enforcement Supervisor and also the father of our Council Member from our District Six .

At this time I also would like to request that a post agenda meeting for all Members of Council be scheduled in order to sit down and discuss with the Murphy Administration their position on the use of B Contracts in the state prevailing wage requirements. The post agenda can serve as the first meeting of the Labor Management Task Force. I would like Mr. Reginella, a representative of the Mayor's staff and two representatives from labor to be present. I would also like to have Mr. Jeff Thomas present to address the concerns of Councilman Darkins in regards to the minority business and women enterprise program in the letting of contracts.

The Chair:

There again, you'll let us know when you would like to schedule that Post Agenda meeting.

Mr. Cusick:

I will also supply the City Clerk with a list.

The Chair:

Thank you. Mr. Hertzberg on this issue.

Mr. Hertzberg:

I just want to second to the extent I understand the entire motion. I know part of it.

The Chair:

Well, we are forming a sub committee and that is what we are doing. We are approving a special task force, a sub committee of the chair led by Councilman Cusick in the capacity as Chairman of Engineering and Construction. This will deal with the Labor Management issue that Mr. Cusick has outlined and he has suggested that the first meeting of that sub committee be in the form of a Council Post Agenda and I will look to his leadership on this matter.

Mr. Cohen:

I just want to commend Councilman Cusick for putting forth that initiative. I think it is a very important subcommittee and I look forward to seeing how it progresses.

The Chair:

Thank you very much. Any other matter on the motions and resolutions?

Again, one brief public announcement--we do have a formal public hearing in these Council Chambers the evening of February 22nd. It begins at 7 p.m. here in Council Chambers on the matter of TCI's rate request which has been filed with city Government. This will allow consumers to speak to Council, who can ultimately vote on whether or not we want to concur with the existing rate. This only involves the rate of TCI on the lower level of the channels, the basic service, as well as related issues of the rate charge for cable installation and operation.

There are other remaining issues that I'm sure the public would want to talk about. I invite anyone who wishes to speak at this public hearing involving TCI rate requests for 1994 to speak on February 22nd at 7 p.m. here in these City Council Chambers. You may call our City Clerk at 255-2138 if you wish to speak and testify. Also, written testimony may be provided to either our City Clerk or the Bureau of Cable Communications.

At this time, hearing no other matters before this body, I would entertain a motion to adjourn. Motion has been made and seconded.

This meeting stands adjourned.

(BEGINNING - MR. CUSICK'S COMMENTS ON BILL NO. 82, WEDNESDAY,
FEBRUARY 2, 1994)

Mr. Cusick:

Mr. Reginella, I think you know how I feel about "B" contracts and the use and in the past. I guess my concern was I'd like to find out if and you may know or may not know -- was Pugliano's workers being paid prevailing wage on this job?

Dir. Reginella:

They were not.

Mr. Cusick:

There again is a prime example of why "B" contracts and --

Dir. Reginella:

-- I want to rectify one thing. This is not a "B" contract. This is an emergency situation and we simply went out and requested --

Mr. Cusick:

-- how much prior knowledge did you have?

Dir. Reginella:

We actually became convinced in the Spring of 93 that we had better build a wall here because we were in danger of losing the roadway.

Mr. Cusick:

There's a few other companion bills 83 and 85 that are going to come up and again, the same question is whether or not -- do we know beforehand we could stop this from being an emergency type of contract that we're entering into. It seems to me that time and time again we are authorizing construction companies to go in and do the job that can cost the City a lot of money and we're not looking out for -- this Council has no, really no knowledge of what's going on until after the fact and I hope that you will look at that closer in the future.

Dir. Reginella:

We certainly will.

Mr. Cusick:

I would like to ask the Director if he could forward us some information regarding what qualifies you to be a certified minority business contractor or a woman contractor -- WBE -- and if you can forward us some information and who does that? Is it state or County?

Dir. Reginella:

We can refer the question to the Office of the Minority and Women's Business Enterprise. Mr. Jeff Thomas is in charge of that aspect of the operation and we can get you the information.

Mr. Cusick:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

(BEGINNING - MR. CUSICK'S COMMENTS ON BILL NO. 83, WEDNESDAY,
FEBRUARY 2, 1994)

Mr. Cusick:

Again Director, I think every time you come to the table with one of these bills that I know I will be questioning him and I hope that my colleagues follow behind. Again, I have to question whether or not this was a true emergency or if we could have not gone out for rebidding.

Dir. Reginella:

It was not an emergency. I can tell you that in this case the prevailing wages were paid.

This is the building that initially was intended to be a fire station, Woods Run Fire Station, and the City had begun construction with its own city forces. The Department of Public Safety was pursuing the construction of the building proper. That was because the previous administration had not been successful in obtaining Councilmatic approval to enter into contracts for the construction of the facility. At that point in time Members of Council went to court as I recall and the Court decided that the work should be stopped. So we had a situation where a portion of the building had been erected but the building remained incomplete. When it was suggested that the purpose of the building should be changed to a medic station in lieu of a fire station, Council approved that suggestion and then we were faced with having to proceed with the construction, completing construction. At that point in time we went back to the original contractors, the low bidders that had participated in the bidding process initially for mechanical, electrical and plumbing work and requested whether or not they would be willing to hold the price and they all agreed to do so. However, in the case of the general construction we couldn't do that because the building was practically 40 percent completed. At that point in time again because we wanted to have the building covered by the end of winter, we were faced with having to solicit construction services on an emergency basis if you will, and so we issued a request to six construction firms. Three of them responded and the Thomson Company was the one that submitted a low bid for the completion of building proper. But inasmuch as we had initially bid the work, we had naturally requested consistent with the proper procedures requested prevailing wages and so the prevailing wages in this case do apply and are being paid by all contractors.

Mr. Cusick:

This is for a partial payment?

Dir. Reginella:

Yes. The total amount of the proposal by Thomson was \$205,000.00. So we can realistically expect to be back at this table with additional warrants a couple more times.

Mr. Cusick:

Is there some way that your office can notify us when an emergency contract -- or you have to enter into an emergency contract with the contractor?

Dir. Reginella:

Certainly. As I stated earlier --

Mr. Cusick:

-- so you don't have to go through this every time.

Dir. Reginella:

It's standard procedure for us to come to Council and obtain approval.

Mr. Cusick:

Was that being done when these projects were going on?

Dir. Reginella:

The previous regime did not want to go that route.

Mr. Cusick:

I think there's a lot of questions been asked this week on how we're entering into contracts and whether or not we have enough minority contractors involved in a project and this Tuesday I'll ask for a post-agenda regarding some of those topics. I think we are all concerned whether or not that we're entering into these contracts in the right fashion and a lot of what's going on I don't blame this administration or yourself but we have to correct some of the wrongdoing here.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

(BEGINNING - MR. CUSICK'S COMMENTS ON BILLS NO. 84 & 85,
WEDNESDAY, FEBRUARY 2, 1994)

Mr. Cusick:

You have explained this to me and I do understand some of it. I believe you said PACT was involved in this.

Dir. Reginella:

Yes. The steam company, PACT, Pittsburgh Allegheny County Thermal was in the process of rehabilitating their steam tunnel which parallels the building and it is located under the sidewalk between the building and the curb line on Forbes Avenue. Approximately 40 percent of the sidewalk had to be removed in order to do the repairs to the steam lines and the supports and what have you and naturally the steam company was in the process -- would have been in the process of replacing the roof on the tunnel which is part and parcel of the sidewalk. We felt that it would be advantageous to the City to request their contractor to provide us with a quote to replace the balance of the sidewalk, the balance of 60 percent of the sidewalk. We felt that there would be a savings to the City because we will not have to incur the mobilization costs.

Also, the County of Allegheny is in the process of replacing the sidewalk on the opposite side of the street along the Courthouse and it was felt that it would be good to have all sidewalks on the block completed.

The contractor was requested to provide us a quote and the quote was reviewed by our staff and the unit price that was proposed was well within the cost that we have experienced in doing other work throughout the Downtown area of this nature. Specifically, the average cost per square yard for the sidewalk was \$111.00. The going rate is about approximately \$120.00, so we felt that it was a good price and it was quick way of getting some work done and so we took advantage of it.

Mr. Cusick:

You may know this answer or not. What is the agreement that we have with the County as far as this building goes and the property around this building?

Dir. Reginella:

There is a general maintenance agreement with the County which stipulates that essentially the City and the County shared the cost on most of the improvements that are done to the building; that includes the sidewalk. We have a commitment from the County to pay for 50 percent of the cost of the sidewalk. So this figure of \$117,000.00 represents total payment because

the work is completed and this is a one-time payment and the County will be picking up approximately one-half of that.

Mr. Cusick:

Again, I do want to direct this towards you for the future but I don't think that you were a part of this. Was there any prior authorization from Council? Did Council know of any of this going on?

Dir. Reginella:

No.

Mr. Cusick:

Again, I think that the concern here on this body is that we know in the future when this is going on. I think the department was doing the right thing by going and saying to complete the job but at the same time this Council should know what is going on.

Dir. Reginella:

I couldn't agree with you more.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

February 15, 1994

No. 7

Municipal Record

ONE HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO President

LINDA M. JOHNSON-WASLER ... City Clerk

Pittsburgh, PA
February 15, 1994

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo, Pres.

ABSENT:

Mr. Darkins

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

The Chair:

We are very honored this morning to have Jason Springer here today. He's a first grade student at Miller School. He's the son of Michelle Springer who is here, and the principal is here also. We are very honored to see her, Ms. Rosemary Mariarrti, whose the principal at Miller School. We are very pleased that you could all come down today. Jason, we're ready when you are.

Jason Springer:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

Ladies and gentlemen, we have a number of honored guests here in the audience today. At this time, I'd like to call on Councilman Joseph Cusick.

Mr. Cusick presented:

Bill No. 169 - WHEREAS, George K. Cupples has retired after an eminent career spanning 44 years as teacher, coach and Athletic

Director with the Pittsburgh Public School System; and,

WHEREAS, George K. Cupples' illustrious career includes a 20-year tenure as teacher and coach of physical and health education. George served as Assistant Football Coach, Head Football Coach and Head Basketball Coach for Fifth Avenue High School. George was appointed to the esteemed position of Director of Athletics for the entire Public School System in 1985 and held that position until his retirement in 1993; and,

WHEREAS, during his high school years at South Hills High, George was a 4 Letter Winner in Football, Basketball, Baseball and Track. Throughout his eminent career, George has been active in a substantial number of professional organizations, and has received numerous awards, including the Pittsburgh Post Gazette's "Coach of the Year Award" in 1955, 1960, 1961, 1964, 1965 and 1969; the Dapper Dan Club Award for "Outstanding Achievement in High School Basketball" in 1964, to name a few, and was inducted into the Western Pennsylvania Sports Hall of Fame in 1989; and,

WHEREAS, George earned his Bachelor of Science Degree from the University of Pittsburgh in 1949 and graduated in 1951 with a Masters in Education from the University of Pittsburgh; and,

WHEREAS, George Cupples served his country in the United States Navy during World War II and was a member of the U.S. Naval Reserve; and,

WHEREAS, George is the husband of Grace Miller Cupples, and is the

father of four children, Kaye, Lorraine, Lynn and Anne, and grandfather of seven grandchildren.

WHEREAS, George K. Cupples will be honored at a Retirement Celebration on Friday, February 18, 1994.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby acknowledges the prolific career of George K. Cupples and extends best wishes for continued success during his retirement years; and,

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh hereby declares Friday, February 18, 1994 as George K. Cupples Day in the City of Pittsburgh in recognition of his contributions and outstanding career.

And On the motion of Mr. Cusick, the Resolution was approved.

Mr. Cusick:

I'd just like to say at this time that I think this resolution tells us a lot about George and what he has done for Pittsburgh and for the Pittsburgh Public School System. I think that in the days ahead of us we hope to see more people that will be as dedicated as George has been to our children and youth, and I'm very proud to have someone like George be a part of my district and a part of my city.

George Cupples:

Thank you very much. I appreciate this, and I know that the school district, we've worked together partially athletics without the City of Pittsburgh in our athletic department, we couldn't. We use

your facilities and you've used ours, and I really appreciate this honor. I feel very honored to come here amongst you. Thank you very much.

Mr. Hertzberg for Mr. Darkins presented:

Bill No. 170 - WHEREAS, Robert L. (Bob) Pitts born August 7, 1926 in Buffalo, N.Y., has spent many years mastering the art of succeeding in doing what it takes to cause positive changes to take place within his community and across the Commonwealth; and

WHEREAS, if Robert L. Pitts, were asked to list his accomplishments, some of them would be, the past Mayor of the Borough of Wilkinsburg from 1990-1993, economic development for youth, residential advocate, President of Glenville Mental Health Committee, Chairman of Glenville Advisory Board, Chairman of the Ohio State Black Laymen's Catholic Caucus, board member of the Pittsburgh Branch of the NAACP for several years, worked with Councilman Duane A. Darkins on many projects, and the list would continue. However, the first thing he would state is "without the help of others and God's direction, I certainly could not have achieved anything."

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh recognizes Robert L. Bob Pitts for all his accomplishments, and contributions to his community, colleagues, friends and family and we look forward to seeing him succeed in all of his endeavors.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh

salute him this Tuesday, February 15, 1994.

Also

Bill No. 171 - WHEREAS, the Black Women's Political Crusade is presently its 15th Annual Sweetheart's Luncheon and Unique Extravaganza, recognizing Grace Ware for her achievements and accomplishments to her community and those around her; and

WHEREAS, as Councilman for district nine, I am proud to honor Grace Ware for her accomplishments in one of the original founder of the Black Women's Political Crusade, the mother of three children, employed in the field of Epidemiologist with the State Health Department for 25 years, President of Women in Urban Crisis, Co-Founder and President of the Board of Pittsburgh Against Rape and Center for Violent Crimes.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh salutes Grace Ware for all her efforts and we wish her the very best in her endeavors.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh make this salute, this Saturday, February 12, 1994.

Also

Bill No. 172 - WHEREAS, the Black Women's Political Crusade is presenting its 15 Annual Sweetheart's Luncheon and Unique Extravaganza, recognizing Dorcas Turner for her achievements and accomplishments to her community and those around her; and

WHEREAS, as Councilman for district nine, I am proud to honor

Dorcas Turner for her accomplishments in being a Extension of Health Care Expediter, organizer of the Sickie Cell Program for deceased Nathaniel Murray, volunteer work with Camp Achievement, NAACP Drive, and a host of wonderful work she has done for our community and city.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh salutes Dorcas Turner for all her efforts and we wish her the very best in all her endeavors.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh makes this salute, this Saturday, February 12, 1994.

Also

BILL NO. 173 - WHEREAS, the Black Women's Political Crusade is presenting its 15th Annual Sweetheart's Luncheon and Unique Extravaganza, recognizing Annie Martin for her achievements and accomplishments to her community and those around her; and

WHEREAS, as Councilman for district nine, I am proud to honor Annie Martin for her accomplishments in giving 31 years if service to teaching, serving on the Board of Commonwealth of Pennsylvania's Citizen Advisory Council to the Department of Environment Resources, managing the Centre Avenue Y.M.C.A., and presently the Vice-Chairperson for the Business and Professional Women Corporation.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh salutes Annie Martin for all her efforts and we wish

her the very best in her endeavors.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh makes this salute, this Saturday, February 12, 1994.

The Chair:

These are tremendous individuals, Bob Pitts, Grace Ware, Dorcas Turner, I know I've known them for many, many years here in the city of Pittsburgh and Annie Martin that I don't know as well but I hope even though we will approve these proclamations today, we will rightfully get them back here for a formal ceremony. So at this time, I'll entertain a motion to approve.

And on the motion of Mr. Onorato, the Resolutions were approved.

Mr. Onorato:

At this time, I'd like to call up Danny Mitchell, Jr., Danny Mitchell, Sr., Ronald Rose, Ed Rose, John Young and Luther McNeil. Please come forward.

Colleagues, this is a great story and a great proclamation today for a great individual--a North Side success story and hopefully the beginning of many success stories coming out of the North Side area.

Mr. Onorato presented:

BILL NO. 174 - WHEREAS, Danny Mitchell, a sixth grade student at Allegheny Middle School started training at the Rose Athletic Club in the summer of 1993, and where his natural ability met with discipline under trainer Ron Rose; and

WHEREAS, Danny's father, Dan Mitchell, Sr. is a local professional, who is 100% behind the efforts of Danny's trainers at the Rose Athletic Club; and

WHEREAS, the Rose Athletic Club is a non-profit, recreational facility for youth, located in the Brighton Heights area of Pittsburgh; and

WHEREAS, the primary goal of the club is to provide safe, structured and adult supervised activities that appeal to juveniles, as an alternative to destructive leisure time activities; and

WHEREAS, Danny and his trainers rigorously prepared for a tournament invitation to the Silver Gloves National Championship in Lenexa, Kansas; and

WHEREAS, on Saturday, January 22, 1994, Danny, "the Bad Boy" Mitchell won the Silver Gloves Regional Championship in the eleven year old, 90 lb. weight class; and

WHEREAS, Danny was the first native of Pittsburgh to compete at this level in seven years and has an opportunity to be placed on the U.S. Jr. Olympic Team with three wins;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Danny Mitchell for his victory at the Silver Gloves Regional Championship and commends the Rose Athletic Club for its efforts in working with the youth of the North Side

And on the motion of Mr. Onorato, the Resolution was approved.

Mr. Onorato:

The Rose Athletic Club is fairly new. The Rose family decided to do something for the youth and to tap into the talent that's in our schools and in our neighborhoods, talent that might go wasted and might be ignored because no one is there to foster the young talent that you see here in this eleven year old. This eleven year old is now a national champion that we could have lost that if we didn't foster these types of groups. And once again, let me stress the point to every one in the room and every one watching, these are the types of groups that we like to fund. They operate on a shoe string budget. They're at the basement of a church right now where they're putting in their own dollars. If we can give them a few dollars to help these types of individuals come forward, it's money well spent, because if we tried to staff this, it would be unbelievable, the cost. I want to personally thank the Rose family for putting in the time, and I mean hours and hours a week of their own time, to help these young people. At this point I'd like to have either one of the Rose's come forward and then I want to hear from Danny the Bad Boy Mitchell.

Luther McNeil:

Thank you. I'm honored to have the opportunity to speak before you on behalf of the Rose's. As someone who is associated with the Rose family, I would like to make sure that Council understands that Ron and Ed Rose are civil servants in Allegheny County. They're both police officers serving in various capacities for the City. But these gentlemen who already have a

rigorous schedule contribute their time to make sure that the young people who are on the North Side have an opportunity to explore whatever talent they have, be it athletics or be it any of the kinds of jobs or duties or responsibilities that would promote an athletic club. It's very very important that you understand that without such kinds of clubs, then we are, going to lose quite a few young people. We can pump money into all kinds of things, but some of the things that the club is going to be looking for would not necessarily be money. We do need your advice on a number of areas. We need surplus or obsolete equipment. If you have knowledge of where we could go to get these kinds of equipment, we would appreciate it. Thank you very much for your time. Thank you also for taking the time to recognize the efforts of Dan Mitchell and his trainers. I'd like to introduce you to them, if I may. This is Edward Rose, to my left, and to his left is Ron Rose. Thank You.

Danny Mitchell:

I want to thank everybody for supporting me when I went out of town. Everybody said that I wouldn't go cause we needed to raise money, but Ron and Eddie, they said, well, we can raise the money to go. They did their part and I did my part by winning, and that's all that counts.

Mr. Onorato:

I'll just end by saying to Mr. Mitchell, congratulations, you ought to be very proud of him. I'm sure you are very proud of your son.

I just want to congratulate Danny, and Dan, while you're on television here, we have another boxer here, Joe Cusick thinks he can fight. Why don't you go take a shot at him and see if you can knock him out in one punch. Go ahead.

The Chair:

Thank you all. Boxing is making a come back in many of our neighborhoods. I don't know if you know Jimmy McCale in Bloomfield, but he's putting together an effort also, trying to take the leadership, and it's really a great sport and I think it can really work with the young people around the City, so we just really appreciate your efforts. Thank you. We'll bring him back when he's a golden glove in a couple of years.

Next we have probably the longest proclamation ever read in Council. It's being co-sponsored by Mr. Smith who read the proclamation. Councilman Cusick, Mr. Darkins, Mr. Ferlo, Mr. Hertzberg, Mr. O'Connor and Mr. Onorato, and Mr. Cohen, all Members of Council.

We have some friends from labor here this morning from the electrical and radio machine workers of America, U.E. and Mon Valley unemployed Committee and other representatives.

Mr. Smith:

And believe me, he was not kidding about the length of this.

Mr. Smith and all Members present:

Bill No. 175 - WHEREAS, the City of Pittsburgh and its residents

have suffered long enough from the devastating effects of the loss of thousands of jobs and are in need of a meaningful economic recovery which ensures the creation of jobs; and

WHEREAS, on October 19, 1993 the City Council of Pittsburgh passed a resolution in opposition to NAFTA because of projections by the manufacturing Policy Project that more than 5.9 million U. S. manufacturing jobs, including approximately 350,000 jobs in Pennsylvania could be lost under NAFTA; and

WHEREAS, that City Council resolution specifically noted that NAFTA contains no effective means to protect workers' rights to organize and bargain collectively, does not provide effective enforcement provisions for other labor laws, and that weak, ineffective environmental laws in Mexico and the lack of enforcement may be further incentives for U.S. industries to relocate to Mexico; and

WHEREAS, several Pittsburgh based corporations, including Heinz and PPG, have announced that they are considering expansion into Mexico; and

WHEREAS, the United Electrical, Radio and Machine Workers of America (UE) is a labor union headquartered in Pittsburgh which has entered into a relationship with an independent labor federation in Mexico (Frente Autentico del Trabajo or FAT) with the specific objective of organizing U.S. manufacturing plants which have moved to Mexico; and

WHEREAS, improvements in the standard of living in Mexico will both benefit Mexican Workers and help eliminate the incentives for U.S. manufacturing firms to relocate decent paying Pittsburgh jobs to Mexico because of the vast disparity in wages; and

WHEREAS, the UE and the International Brotherhood of Teamsters are sponsoring a ten day tour which includes two Mexican workers who have been fired by General Electric and Honeywell for trying to organize unions to improve wages and working conditions of Mexican employees at those plants; and

WHEREAS, as part of that tour, the Fair Trade Campaign of Southwestern Pennsylvania is hosting a breakfast reception in Pittsburgh for Fernando Castro Hernandez, Ofelia Medrano Sanchez, Benedicto Martinez Orozco; and

WHEREAS, a recent segment of the MacNeil/Lehrer News Hour focused on the organizing effort and the retaliatory firings at General Electric's motor plant in Juarez, Mexico; and

WHEREAS, it appears that significant labor and human rights violation may have been committed by major U.S. corporations operating in Mexico.

THEREFORE, BE IT RESOLVED that the city of Pittsburgh denounces the practice of U.S. based corporations to relocate decent paying, high quality manufacturing jobs to take advantage of the cheap wages and lax enforcement of labor and environmental standards in Mexico; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh

calls on U.S. corporation which operates overseas to conduct themselves as good corporate citizens and comply in full with the laws of the centuries in which they choose to operate, because failure to do so create a bad public image of the people and government of the United States; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh hereby calls upon all Western Pennsylvania Congress persons and Senator Wofford and Specter to conduct congressional investigations and/or hearings concerning the allegations of human and labor rights abuses in Mexico which may have occurred since the passage of NAFTA; and

BE IT FURTHER RESOLVED by the Council of the City of Pittsburgh that the week of February 14-20, 1994 is hereby declared to be Labor Rights Week in the city of Pittsburgh and that Mexican workers Fernando Castro Hernandez and Ofelia Medrano Sanchez, and FAT national leader Benedicto Martinez Orozco, are warmly welcomed to the city of Pittsburgh; and

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Senators Wofford and Specter and all U.S. Representatives from Western Pennsylvania.

The Chair:

I think that proclamation is as long as the NAFTA Treaty.

Amy Noel:

My name is Amy Noel and I'm Secretary Treasurer of the United Electrical Worker's Union. I'd like to begin by introducing my

colleagues, Linda Wombau who is organizing Director of the Service Employees Local 585 and Vice Chair of the Alliance for Progressive Action, Barnie Orsler of the Mon Valley Unemployed Committee; Carol Lambias with my union, the U.E.; Fred Bell with the International Association of Machinists, Lodge 1050; Peter Gilmore and David Alexander in the back, also with the U.E. We want to thank the Council very much for this proclamation. I'd like to say that I think it represents a far sided vision of the path forward for working people because in light of NAFTA soon to be in light of GET, I suspect, and in light of the overall economic inauguration of the global economy, we believe there's really two struggles that confront working people. One is the political struggle, the struggle that we as citizens need to wage to reclaim our right through our elected representatives, through government at the local, at the state, at the federal level, to regulate the activities of these transnational corporations, looking ultimately to the need for global political institutions that will set a floor for their operations of these corporations world-wide. And the other struggle, of course, is for working people throughout the world to be able to organize free and independent and democratic trade unions to advance their interest directly against the transnationals and for us to build a global labor movement that can confront transnational capital wherever it operates around the world, and that is precisely the issue that your proclamation addresses. The reception for Fernando and Ophelia and Benedicto will be held at the Union National Headquarters over on the 24th

floor of the Oliver Building Thursday morning at 8:30 a.m. We'd love to see any of you that can make it. Thank you.

The Chair:

Thank you Councilman Smith, and thank you all for coming down here today.

At this time we'll move to presentations.

Mr. Onorato presented:

No. 177 Resolution providing for the issuance of a warrant in favor of the Stadium Authority in the amount of \$1,320,000.00 for Various Capital Improvements; and providing for the payment thereof.

No. 176 Resolution further amending Resolution #1455, effective January 1, 1994, as amended, entitled "Adopting and Approving the 1994 Capital budget and the 1994 Community Development Block Grant Program; and approving the 1994 through 1999 Capital Improvement Program," by increasing EC 94-529 (Stadium Improvements) by \$620,000.00 from \$1,200,000.00 to \$1,820,000.00.

Which were severally read and referred to the Committee on Finance.

Also,

Mr. Hertzberg for Mr. Darkins presented:

No. 178 Resolution transferring the amount of Two Hundred Twenty Thousand (\$220,000.00) Dollars from Code Account 45, Health Insurance-Municipal Employees, Index Code 1612-4, Salt, Index Code 161240, Department of Public Works, Bureau of Operations.

Which was read and referred to the Committee on Finance.

No. 179 Resolution providing for an Agreement or Agreements, or the use of existing Agreements, with Port Authority of Allegheny County (PAT) allowing PAT to construct and maintain Transit Passenger Shelters on City right-of-ways at various locations throughout the City.

Also,

No.180 Resolution granting unto Robert Mistick with an address at 1300 Brighton Road, Pittsburgh, Pennsylvania 15233, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a total of 40 trees in a portion of the sidewalk area along Western Avenue, Brighton Road, North Lincoln Avenue and Rope Way in the 22nd Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 181 Resolution granting unto SMS Engineering, Inc., 100 Sandusky Street, Pittsburgh, Pennsylvania 15212, their successors and assigns, the privilege and license to construct, maintain and use at their own cost, and expense, a roof cornice to extend over a portion of the right-of-way on Sandusky Street in the 22nd Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 182 Resolution granting unto Mellon Bank, 1401 East Carson Street, Pittsburgh, Pennsylvania 15203, their successors and assigns, the privilege and license to construct, maintain and use at

their own cost and expense, a concrete handicap ramp on a portion of the sidewalk area fronting on 1401 East Carson Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Mr. Hertzberg presented:

No. 183 Resolution providing for an Agreement or Agreement with the Pittsburgh Sports & Festival Federation. The total cost shall not exceed \$150,000.00 and shall be chargeable to and payable from Code Account 1838 Index Code 183806, Miscellaneous Services in the Department of Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation

Mr. O'Connor presented:

No. 184 Resolution providing for a professional service agreement or agreements or the use of existing agreements for the purchase of fuel for City owned vehicles, and providing for the payment of the cost thereof, not to exceed \$40,000.00.

Also,

No. 185 Resolution providing for the letting of a contract or contracts or the use of an existing contract or contracts, for various repairs and renovations to City facilities, and providing for the payment of the cost thereof, not to exceed \$200,000.00.

Also,

No. 186 Resolution providing for the letting of a contract or contracts or the use of an existing contract or contracts, for the furnishing and delivery of motorized fire equipment and for the refurbishing of existing motorized fire equipment for the Department of General Services, and providing for the payment thereof, not to exceed \$2,500,000.00.

Also,

No. 187 Resolution providing for the letting of a contract or contracts, or to exercise against existing contracts, for furnishing and/or installing energy conservation equipment for the Department of General Services, and providing for the payment of the cost thereof, not to exceed \$200,000.00.

Which were severally read and referred to the Committee on General Services.

Mr. Onorato presented:

No. 188 Resolution providing for the issuance of a warrant in the sum of \$6,000 to Laurita Nelson c/o Michael Kaleugher, Esquire, 1020 Frick Building, Pittsburgh, PA 15219 in full and final settlement of an alleged accident involving a City Street Cleaner and the vehicle owned by Ms. Karen Vaughn in which Ms. Nelson was a passenger at the intersection of Black Street and Negley Avenue in the City of Pittsburgh on or about May 5, 1989.

Also,

No. 189 Resolution providing for the issuance of a warrant in the sum of \$3,500 to Maxine Thomas c/o Michael Kaleugher, Esquire, 1020

Frick Building, Pittsburgh PA 15219 in full and final settlement of an alleged accident involving a City Street Cleaner and the vehicle owned by Ms. Karen Vaughn in which Ms Thomas was a passenger at the intersection of Black Street and Negley Avenue in the City of Pittsburgh on or about May 5, 1989.

Also,

No. 190 Resolution providing for the issuance of a \$884.35 warrant in favor of Kathleen Hedding and Norma Seid in settlement of claim for property damage, chargeable to and payable from Code Account No. 46, Judgments.

Also,

No. 191 Resolution providing for the issuance of a \$900.00 warrant in favor of Gregory A. Schwartz in settlement of claim for sidewalk damage, chargeable to and payable from Code Account No. 46, Judgments.

Also,

No. 192 Resolution providing for the issuance of a \$10,000.00 warrant in favor of Bell of Pennsylvania in settlement of claim for property damage, chargeable to and payable from Code Account No. 46, Judgments.

Also,

No. 193 Resolution amending and supplementing Resolution No. 1453, effective January 1, 1994, entitled "Making Appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the Fiscal Year beginning January 1, 1994" by making certain corrections.

Also,

No. 194 Resolution amending and supplementing Resolution No. 1454 effective January 1, 1994, entitled "Fixing the number of officers and employees of the City of Pittsburgh and the rate of compensation thereof, and setting minimum levels for designated positions" by making certain corrections.

Also,

No. 195 Resolution amending and supplementing Resolution No. 1455 effective January 1, 1994, entitled "Adopting and approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program, and approving the 1994 through 1999 Capital Improvement Program, "by making certain corrections.

No. 196 Resolution amending Resolution No. 238, effective March 23, 1992 as amended by Resolution No. 612, effective May 7, 1993 entitled "Resolution providing for the filing of an application with the U.S. Department of Justice for a grant in an amount not to exceed \$1.5 million in 'Operation Weed and Seed' funds by providing for transfer of certain funds from Operation Weed and Seed Trust Fund to the Special Events Cost Recovery Trust Fund.

Also,

No. 197 Resolution providing for the acceptance by the City of Pittsburgh from the Western Pennsylvania Conservancy of certain property in the 31st Ward of the City of Pittsburgh, for public greenway purposes at no cost to the City of Pittsburgh.

Which were severally read and referred to the Committee on Finance.

Mr. Smith presented:

No. 198 Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1994 Community Development Block Grant Program.

Which was read and referred to the Committee on Planning, Housing and Development.

The Chair presented:

No. 199 Resolution directing that all expenditures from the Cable Communications Trust Fund exclusive of salary, premium pay, and indirect cost reimbursement to the City must be presented to City Council for approval prior to funds being expended. This will include expenditures for Miscellaneous Services, Education and Training, Facility Maintenance, Utilities, Production Equipment Replacement, Production Equipment Maintenance, Supplies, Equipment and Other Expenses.---(SPONSORED BY MR. FERLO)

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Smith seconded the motion.

Which was read and referred to the Committee on General Services.

Also,

No. 200 Resolution authorizing and directing the Finance Director to examine the feasibility of a "direct pay" voluntary payment system which would allow elderly residents and others to have their Alcosan and Water and Sewer Authority quarterly bills deducted from their checking or savings account and paid directly to the billing authority.---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Water.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Smith seconded the motion.

Also,

No. 201 Communication from Mayor Tom Murphy informing Council of the re-appointment of Councilman Bob O'Connor as a member of the Public Auditorium Authority for a term to expire December 31, 1996.

Also,

No. 202 Communication from Mayor Tom Murphy informing Council of the appointment of Cathy Broucek as a member of the Public Auditorium Authority for a term to expire December 31, 1995.

Also,

No. 203 Communication from Mayor Tom Murphy informing Council of the appointment of Councilman Dan Onorato as a member of the Stadium Authority for a term to expire December 31, 1998.

Also,

No. 204 Communication from Mayor Tom Murphy informing Council of the appointment of Representative Frank Gigliotti as a member of the Stadium Authority for a term to expire December 31, 1995.

Also,

No. 205 Communication from Mayor Tom Murphy informing Council of the appointment of Mark Schneider as a member of the Stadium Authority for a term to expire December 31, 1997.

Also,

No. 206 Communication from Mayor Tom Murphy informing Council of the appointment of Robert Ewanco as a member of the Stadium Authority for a term to expire December 31, 1996.

Also,

No. 207 Communication from Mayor Tom Murphy informing Council of the appointment of Conrad Johnson as member of the Stadium Authority for a term to expire December 31, 1994.

Also,

No. 208 Communication from Mayor Tom Murphy informing Council of the re-appointment of David Epperson as a member of the Urban Redevelopment Authority for a term to expire December 31, 1998.

Also,

No. 209 Communication from Mayor Tom Murphy informing Council of the appointment of Dan Frankel as a member of the Urban Redevelopment Authority Board for a term to expire December 31, 1995.

Also,

No. 210 Communication from Mayor Tom Murphy informing Council of the appointment of Tom Cox as a member of the Urban Redevelopment Board for a term to expire December 31, 1997.

Which were read, received and filed.

The Chair:

Is there any discussion on the appointments?

I just want to note that I want to thank the Mayor for the appointment of several labor officials to the various authorities. At this time, motion to receive and file has been made. All in favor? The motion carries.

UNFINISHED BUSINESS

The Chair:

Since there isn't any unfinished business, I'd like to ask Mr. Cohen to give us a little bit of an update on the TCI situation as we have met this past week.

Mr. Cohen:

Thank you very much, Mr. President. As you recall, Members of Council and the public, there was an evidentiary hearing that was originally scheduled for last night. That evidentiary hearing was cancelled after discussion with the Administration and Council President Ferlo and the lawyer assigned to work on this, and that is Mr. David Wormser. This was done after the FCC just recently issued a ruling that looks like it will affect the cable regulatory process and the

reason is that it appears as if, and again there is nothing definitive from the FCC yet, but it appears as if they are reconsidering their bench marks. If you recall, we can only regulate cable as far as the cable rates are compared to the bench marks that are handed down by the FCC. If the cable rates are above those bench marks then we can take action and reject their rates. If there are below the bench marks or equal to then our hands are tied. A lot of city's, including the City of Pittsburgh, of course, have objected that the bench marks are too high and it looks as if the FCC is going to be reconsidering their bench marks and that's the reason the hearing that was originally scheduled for last night was canceled and will be rescheduled. However, the hearing that has not been canceled and is very much on the schedule is a public hearing scheduled for a week from today at 7:00 P.M. on February 22nd here in City Council Chambers. That is a very, very important public hearing because it gives the public an opportunity to speak on cable rates, on cable equipment, and any other complaints or objections or maybe some people have positive comments about TCI, so this is an opportunity for the public to come down and speak about how they want their cable rates to be regulated and I would like to see as many people as possible come down for that hearing. It is of course an official council hearing. I want to thank President Ferlo for making it an evening hearing so that people can come down to it. The attorney that has been hired by Council, David Wormser, is going to be present at that meeting and people will have an opportunity to speak. So that's the next step, and after that we

will reschedule the evidentiary hearing and make sure that Council comes up with a responsible decision soon.

The Chair:

Thank you very much, Mr. Cohen.

Again, the public hearing on TCI rates is February 22nd, 7:00 P.M. in Council Chambers. Any individual or resident wishing to testify should contact the City Clerk at 255-2138.

REPORTS OF COMMITTEES

Mr. Onorato presented:

Bill No. 105 - Resolution authorizing the transfer of \$12,756.00 from CA 1448 Misc. Services, to the Community Oriented Policing Trust Fund, Department of Public Safety.

Also

Bill No. 111 - Resolution providing for the issuance of a \$1,625.00 warrant in favor of Michael A. Romea in settlement of claim for automobile damage.

Also

Bill No. 112 - Resolution providing for the issuance of a warrant/s in the aggregate amount of \$18,500.00 in favor of the persons who provide professional proctoring services for the benefit of the City in connection with the administration of the civil service commission's written and performance examinations.

Also

Bill No. 113 - Resolution providing for an agreement with a court report in connection with

the taking of testimony at Civil Service Commission and Appeals Board hearings at a cost not to exceed \$3,000.00.

Also

Bill No. 84 - Resolution providing for the issuance of a warrant in favor of Golden Triangle Construction Company in the amount of \$117,391.00 in payment of the City County Building sidewalk construction.

Also

Bill No. 135 - Resolution authorizing the City Controller to transfer the sum of \$190,000 from CA 1400-1 Premium Pay, to Code Account ETA Trust Fund, Department of Public Safety.

The Chair:

You have heard the reading and title of the bills. Is there any discussion on any of these bills.

The Chair:

In relation to Bill No. 135 - the 911 Trust Fund, we did ask for some information both the financial analysis of the incoming \$1.00 fee on the phone bills and also, I believe Mr. Ricciardi specifically asked for information in relation to Mt. Oliver Borough and the payment for the 911 emergency services we provide. Did we receive any of that information?

Mr. Cohen:

We did, Mr. President. I don't know if it is everything that Council asked for but my office received on Friday a memorandum from Kathy Kraus on 911 telephone act revenues and expenditures. I

don't know if Council had an opportunity to read it yet.

Mr. Hertzberg:

It appeared to be informative and it gave us a breakdown of the revenues on a monthly basis, I believe, as well as a breakdown of the expenditures.

The Chair:

Very good. Any discussion? Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called. All opposed will vote no. Will the Clerk please take the roll?

ROLL CALL:

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

NOES: Mr. Ferlo - Bill No. 84

The bills, having received the legally required number of votes, have passed finally.

Mr. Hertzberg for Mr. Darkins presented:

Bill No. 107 - Resolution granting unto George Laurel Dargay with an address at 511 Braddock Road, Pittsburgh, PA 15221, the privilege and license to construct, maintain and use at their own cost and expense a metal fire escape over a portion of the sidewalk of Hazelwood Avenue in the 15th Ward.

The Chair:

You have heard the reading and title of the bill.

Is there any discussion on the bill?

Hearing none, the bill is ready for final action. Will the Clerk please call the roll.

ROLL CALL:

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES: 8 NOES: None

The Chair:

The bill has received the legally required number of votes and has passed finally.

Mr. Smith presented:

Report of Committee on Planning, Housing and Development for February 9, 1994.

Also, with an affirmative recommendation.

Bill No. 115 - Resolution amending Resolution No. 85, approved 1-28-85, entitled, "Providing for the implementation of the residential parking permit program in portions of the Bloomfield community pursuant to the Pittsburgh Code so as to amend streets included in area H."

The Chair:

You have heard the reading and title of the bill.

Is there any discussion on the bill?

Mr. Cohen:

I'd like my comments brought forth on Bill No. 115.

REFER TO END OF TRANSCRIPT FOR MR. COHEN'S COMMENTS ON BILL NO. 115.

Hearing no other comments, the bill is ready for final action. Will the Clerk please call the roll.

ROLL CALL:

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES: 8 NOES: None

The Chair:

The bill has received the legally required number of votes and has passed finally.

Mr. Hertzberg presented:

Bill No. 143 - Resolution providing a lease and/or license agreement/s with the Salvation Army for the use of the facility located at 1821 Broadhead-Fording Road as a Recreation Center, at a cost not to exceed \$13,000.

The Chair:

You have heard the reading and title of the bill.

Is there any discussion on the bill?

Hearing none, the bill is ready for final action. Will the Clerk please call the roll.

ROLL CALL:

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES: 8 NOES: None

The Chair:

The bill has received the legally required number of votes and has passed finally.

Mr. Cohen presented;

Report of the Committee on Public Safety for February 9, 1994 with an affirmative recommendation.

Bill No. 106 - Resolution authorizing and directing the City Controller to create a special trust fund to be designated as the Community Oriented Policing Trust Fund.

The Chair:

You have heard the reading and title of the bill.

Is there any discussion on the bill?

Hearing none, the bill is ready for final action. Will the Clerk please call the roll.

ROLL CALL:

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES: 8 NOES: None

The Chair:

The bill has received the legally required number of votes and has passed finally.

Mr. Cusick presented:

Report of the Committee on Engineering & Construction for February 9, 1994.

Also, with an affirmative recommendation.

Bill No. 86 - Resolution providing for a cooperation agreement/s with Vintage, Inc. for the City's share of site preparation for an addition to the facility on Highland Avenue, cost range of \$50,000 - \$90,000.

The Chair:

You have heard the reading and title of the bill.

Is there any discussion on the bill?

Hearing none, the bill is ready for final action. Will the Clerk please call the roll.

ROLL CALL:

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES: 8 NOES: None

The Chair:

The bill has received the legally required number of votes and has passed finally.

MOTIONS AND RESOLUTIONS

Under Motions and Resolutions, I do want to remind all of you that we do have a cablecast Post Agenda at the request of the Administration to educate Council in our involvement and as well the residents on the new directional signage program which is a massive, very expensive undertaking, but their are private funds involved in this initiative and we will be meeting with representatives from the Mayor's Office as well as Mr. Robert Ferth from a consulting group called Informing Design, as well as Mr. Glen Schultz, WTW Architect. Again, that will be immediately following this meeting. It will be cablecast and we do want to get community input on this massive undertaking.

Before I talk about a few other issues, I'd like to call on Councilman O'Connor who has a very important update to provide to this Council and to the public.

Mr. O'Connor:

Thank you Mr. President. If you will bear with me just a few minutes, I'd like to update you on a big news report and investigation that we had a couple months back relating to parking tax revenue which I felt was being very under reported. I'll just briefly--I have a chart that I passed out to Members of Council. What I'd like to explain to you, after we had our press conference and the finance Department had seven investigators start putting pressure on these lot owners and we started auditing them much closer, as you see, for the first ten months of the year up until October the City collected \$17 million dollars in revenue. Last year at that time, we collected 16 million, so it is roughly a \$1.1 million dollar increase, or 6.8%. After we put the pressure on, the months of November and December increased a total of \$400,000 or 14.3%, so that's more than doubled the increase percentage that we had been collecting all year. If we had been putting that pressure on all year, that would probably amount to about a million two, a million three additional revenues than we have already collected. I bring this out to thank the Finance Department and the inspectors for doing a good job on putting some pressure on, but what I am concerned about now is if the pressure gets off actually the payments might slack. The people who have been doing this have been breaking the law for several years and certainly don't want to start paying the 26%. Now, we're only talking about those who have been under reporting. There are a lot of good, honest operators out there. We are looking at the ones who have not paid and this is a very good indication that there

are quite a few not paying. I'd also like to announce that I'm very pleased with the new Director, Paul Hennigan, and the Murphy Administration, who have taken this very seriously. I know they're all new and just getting in office, but what we are working on with them, we are working on long term solutions. This is only a quick stop measure to get them to pay and when we don't watch I'm sure we are going to slack off. So we're addressing long term controls, implementing different collection systems to be put in and study those, and then more audits, and also we will be introducing legislation to go after those who aren't paying, to stiffen the fines and take them to court. I am looking forward to working with the new Administration. I have a lot of faith in them. They have brought a lot of new ideas to the table and I look at more or less as what's happening with years ago when people didn't pay their parking tickets, where they really didn't pay attention, so we put the boot on them and everybody started waking up, so I feel that's in the direction we are going in and I wanted to update Council on the increased revenue that we have collected.

Mr. Hertzberg:

I appreciate your report, Councilman O'Connor, and I personally observed no great increase in the amount of parking in the City of Pittsburgh so that we can attribute this to increased enforcement and I know of no additional cost to the City to increase the enforcement as they have done, so I compliment everybody involved with this. It's good to see this kind of increase in revenues just by

checking things a little more carefully.

Mr. Cohen:

I also want to congratulate Councilman O'Connor for taking the lead on this. It's a matter of revenue for the City, but it's also just a matter of fairness and I think that his efforts have proven themselves well here in the documents that he provided, and I want to thank him for his efforts.

The Chair:

I want to add my voice to that, Councilman. Thank you for your leadership. Last year, bringing this whole issue to the forefront, you are right we did add a few years ago, additional enforcement folks in the Finance Department and we obviously would like to see our new Finance Director earn his salary back this year and then some, and because of your initiative it looks like we will be able to do that. Not only did this Council project some additional increases on the revenue side from the parking tax, but when we started talking about other initiatives downtown, housing and other things that you have talked about, that the Mayor has talked about, we want to talk about parking provisions for new residents that may live in the downtown, and I think its part of your agenda also to look at ways to provide free and more convenient parking for shoppers and residents in the downtown corridor, so I hope we are keeping that in the back of our mind.

I would ask, however, that you actually chair this sub-committee on this whole parking tax review. I think we need to, at least if not monthly, maybe quarterly, have

an update from you, especially going into the year-end budget deliberations, and I 'd like to ask you to Chair that and give us a formal sense when it is appropriate on an update and also what new measures we can look into to make sure we've got an accurate count on what you referred to once as the shoe box business.

Mr. Onorato:

I just want to add a few comments. A lot of times things are said here and they get coverage and there's no follow-up. I appreciate the follow-up, and one thing I remember that sticks in my mind when this issue came up two months ago with the previous administration, one of the officials said that there's no way there's more than \$500,000 involved here. If you look at these projections, Councilman O'Connor is projecting that it could be at least a million dollars or over a million dollars just for the thread of enforcement and the increase in enforcement and it has been proven that he was correct, that there was a lot more money involved than anyone anticipated. I think it should be pointed out, too, that a percentage of this goes to the municipal employee retirement fund, and this is going to be increased revenue without raising taxes. This is just making sure that everyone pays their fair share and Councilman O'Connor should be applauded for following up and making sure that we realize that comments that are made in prior months should be corrected and to his credit, he was right. It's more than \$500,000 and my guess is that it might get closer to the 2 million dollar mark after

we see the projections after twelve months.

Mr. Ricciardi:

Mr. O'Connor, I'd like to echo the sentiments of my colleagues and really commend you for your determination and persistence in following up, because as Mr. Onorato has stated, many times issues are raised, however they fall by the way said. But I would also like to commend Mr. O'Connor because during the last administration there were a few bureaucrats who contested those numbers, but even in the face of that, Mr. O'Connor had the courage to move forward to something that can be considered a very powerful industry, and I think he needs to be commended for that because obviously, as my colleagues have stated, he's found additional revenues that can be used in our Treasury, and again, I'd like to thank you, Mr. O'Connor.

The Chair:

Thank you very much. Any other matter on this issue of the parking tax?

Mr. Ricciardi:

It's a different issue, Mr. President. I will be brief. Colleagues, because of the harsh elements of this winter, obviously we are experiencing much damage to our streets here in the City of Pittsburgh, damage in the form of pot holes and damage in the form of our streets are actually beginning to crack at certain place, such as Fifth Avenue on the side of the Birmingham Bridge.

In the past, we've always paid out damages for pot holes. For the last quarterly report there

are damages paid in excess of hundreds of dollars, and that quarterly report does not cover the new year, and I expect those damages to come up. As a matter of fact, I received a call from the tax collector of Sewickley who will be filing a claim for over \$400 to damage of his car. Obviously, putting the aesthetics aside, it's a hazard to the vehicles on the street and even pedestrians who are crossing our streets. I believe we need an aggressive action to fill these pot holes, either on a temporary basis or on a long term basis. I've had some informal communication with Mayor Murphy himself, however, I'd like to put on this table is we could have a motion, and hopefully have a second, and passed by this City Council, asking the Director of Public Works and Mayor Murphy what action they plan on taking in the immediate future, either temporary or permanently fixing our streets here in the City of Pittsburgh, so we could have something in written form that we could review and hopefully make suggestions.

The Chair:

The motion has been moved and seconded. Discussion on the motion.

My understanding from the Administration is that they will have a major announcement that they are reviewing regarding the issue on a longer range basis, and I hope that this motion will be sent over and we will quickly get a response, but it's an appropriate motion and I applaud you for making it.

All in favor of the motion? The motion carries.

One brief point, as I mentioned earlier, we have many guests here for the Post Agenda which I spoke about earlier. This is very bad news and it's great regret, not only to myself who represents the Council District, but as you know, some of the 177 workers that work at the City Pride Bakery live throughout the Council Districts, many from the North Side and other neighborhoods, and that is unfortunately news that came this morning and that is the pending closing this Friday of the City Pride Bakery. I know it's going to break the hearts of a lot of people who worked very hard on this bakery and certainly it's going to devastate some of the working people and their families at City Pride. There was a lot of hope and a lot of effort and a lot of struggle that went on to this Bakery. I do want to read for the public record a letter that the Mayor received yesterday from Mr. Ursherwood from City Pride. It reads as follows:

"Dear Mayor:

It is with great regret that I inform you today that the City Pride Bakery will close on or about February 18th." After several weeks of exhaustive yet ultimately unsuccessful efforts to secure refinancing and substantial new business, it has become financially impossible to continue operations. As you are aware, we took over City Pride Bakery in March of last year. The company was strapped with huge debts and operating inefficiencies. It was our belief that new management and capital improvements could turn the bakery around. Unfortunately, despite new management and the infusion of large sums of money,

the losses continued to mount. We have strived in the past few months to keep the bakery afloat. However, despite the efforts of everyone involved, both short and long term projections show continued losses."

He goes on to say that the problems of City Pride no way reflect on our workforce. "It is not a people problem, it is a combination of a narrow market for our products, antiquated equipment, and the realization that the premise of a private label wholesale bakery is flawed." In the release from the company, he states "our management group, the employees, the City of Pittsburgh, and Allegheny County officials that worked very hard for the past eleven months in attempting to rescue the bakery from extinction, said Michael Carlo. He is very disappointed and after spending millions of dollars he is unable to stem the loss and save the bakery from closing. He goes on further, Mr. Carlo, to state, "when working to turn around distressed companies, it's difficult but it's a fact that every effort won't be successful." City Pride management notified the employees union leaders, the state and local government officials yesterday, and the customers, I assume today. The company has waived the three years of service severance rule in the union contract, basically individuals will be considered at least working there for a full year with the appropriate severance pay and health care coverage will remain in effect until March. The Mayor quickly dealt with various city departments on this matter asking for a report from his Personnel & Civil Service staff and they are

going to initiate some immediate workshops on making sure the individual workers and their families are aware of retraining and JTPA and other services that may be of need to families immediately facing unemployment. As well, Mr. Carlo to his credit, since he does operate Iron City Brewery, Clark Candy, and others, has given some first preference to those employees for possible employment in other parts of his companies. Obviously, this is very devastating news. This Council was one of the first groups to come to the aid of these workers when they lost their job at Braun Baking Company originally. It's very disappointing, obviously we have referred to the Bakery as the Miracle on Thirty-Ninth Street in Lawrenceville. I'd still like to believe in miracles. I would hope additionally, I have been on the phone with Mayor and with Director Birru. I don't know if it's realistic but I would like to at least see representatives of the work force regroup with the City's URA and Mr. Cox and others from the Mayor's Office and this Council to see what, if any, other strategies we can put into effect. It is a modern building. I'm not clear on Mr. Carlo's comment about some of the equipment being antiquated. In fact, some of the production equipment is new and much more progressive than some of the other bakery facilities in the region so I would hope that we could meet quickly and regroup. The Union's have already called me this morning and I'll keep Council informed and we need all of your input and ideas on this. But again, we have a productive plant that has machinery and equipment as well as the new building, experienced work force. I don't

know if another buyer or a larger buyer is realistic, somebody who only deals with bakery products as opposed to diversification that Mr. Carlo has, but that's something we may want to look again, so again it's very disappointing news and I just ask the working families to stay with it. We'll try to do whatever we can do, thanks to the Mayor, on JTPA and assisting you with unemployment benefits, but let's not give up and let's try to regroup and see if there's other avenues that we can look at.

Any other comments today on any other matters?

Mr. Cohen:

Mr. President, I just want to thank you for bringing up that news. That is devastating news for those 177 workers and their families and I'm sure that we would be very interested in hearing from Mayor Murphy as to what plans they may have with regard to any help that we can give those workers and their families. At the same time, I do think that they should be applauded for a heroic struggle, a struggle to build City Pride out of the ashes of Braun Bakery and for doing it for a long time, so at the same time that we are mourning a loss, I think we also should be applauded for a heroic struggle.

Mr. Hertzberg:

Something on the brighter side. I'd like to remind everyone, or if you haven't heard already, this is concerning a basketball game next Thursday. It's between the COPS, the community oriented police who

have put together a basketball team, and they are going to play the Sheraden Youth Center Basketball Team and its for the benefit of the Sheraden Youth Center and its to show a spirit of harmonious relations between the COPS and the young people in the community. It will be next Thursday, the 24th, at 7:30, Langley High School Gym. The Mayor has promised to appear, the Pirate parrot is committed. WAMO is going to broadcast the game and hopefully we will have other people there, and we can also look forward to similar games in the other public safety zones, so we're hoping we can make the first one a big event and everyone on Council is invited, everyone following this on T.V. and everyone in Council Chambers is invited, and I hope we can all make it.

The Chair:

Thank You, Mr. Hertzberg. Again, this is going to be a very exciting game on the 24th. I know we're trying to line one up in Lawrenceville. I've asked the officer who contacted me on Friday to work with you directly as Chairman of Parks and Recreation and also Mr. Cohen from Public Safety. We want to replicate this activity in each one of our Council Districts and I think the Council Member getting involved can really help promote and give us some greater publicity and outreach to this effort, so I want to thank Mr. Hertzberg for his efforts, especially in the Sheraden community.

Any other matters?

Mr. Cusick:

Mr. President, I don't know if

this procedurally correct, but I'd like to send the Stadium Authority a letter just requesting that they have somebody come over next Wednesday in regards to the various Stadium Authority improvements that they are asking us to allocate monies for.

The Chair:

Thank you very much. As your committee, obviously Director Reginella will be at the table. If there's no objection from Council, we'd also like to have somebody from the Stadium Authority there to answer some questions. Hearing none, Mr. Cusick, could you please extend that invitation to the Stadium Authority through the Clerk's Office.

Any other matters?

I'll now entertain a motion to approve the minutes. It's been moved and seconded. All in favor. The ayes have it.

I'll entertain a motion to adjourn for the Post Agenda. It's been moved and seconded. All in favor?

This meeting stands adjourned.

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 115, WEDNESDAY,
FEBRUARY 9, 1994)

Mr. Cohen:

Thank you. Just briefly to tell Councilmembers that this will expand ever so slightly the Area "H" in the 8th Ward, it is a half a block of Coral Street, between South Evaline and South Pacific, one block of Friendship Avenue, between South Pacific and South Atlantic and a block of Harriett Street, between South Pacific and South Atlantic. The people who live on those blocks are really being crunched because of the large Area "H" impacting upon them. By being slightly out of that district it means all the cars are parking on their block. It is favored by the residents and I think it is something we should support.

(END OF COMMENTS)

PREPARED BY: CHERYL L. WILDS
STENOTYPE REPORTER

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

February 22, 1994

No. 8

Municipal Record

ONE HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO President
LINDA M. JOHNSON-WASLER.... City Clerk

Pittsburgh, PA
February 22, 1994

PRESENT:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

ABSENT:

Mr. Darkins

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

The Chair:

Would you all please rise for the Pledge of Allegiance and remain standing for a moment of silent prayer.

Council is very pleased and honored this morning to have a young man, Dan Bogus here. He's a Boy's Scout. If he can come forward, he's going to lead us in the Pledge of Allegiance. His mom and dad are here, Ben and Nancy Bogus. Dan attends Georgie Robinson Township Christian School and he's working on his star.

Dan Bogus:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Thank you Dan. Dan the City Clerk has a little memento for you. It's a City flag with an official seal with the American Flag. We appreciate you coming down today, especially your mom and dad. I know Ben is a police officer out in District Zone 5 and he wants you to be safe and we appreciate your taking the time with your family to come down here today.

Before we get right into the proclamation it's not often that we have elected officials in the audience and I do want to give special recognition to the Honorable Sheriff Eugene Coon who is here this morning and I just want him to please stand and let's give him a warm welcome.

At this time we'll move right into proclamations. We have a number of honored guests here this morning. At this time I'll call on Councilman Cusick and Mr. Ricciardi who have a very important proclamation honoring a very fine gentleman.

Mr. Cusick:

At this time I'd like to ask Sheriff Coon and Mr. Boehm to please come up and Mr. Boehm's family. I believe its Kathy, Karen, Len, his wife Irene and Mr. King.

At this time I'd like to read the proclamation.

BILL NO. 217 - WHEREAS, Leonard Wenedlin "Whitey" Boehm was born in the City of Pittsburgh, October 28, 1923 second of three children born to Leonard W. Boehm and Irene Snyder his sister Delores Hones and brother Vince both live in Moon Township; and,

WHEREAS, Whitey Boehm was raised in Oakland and attended Central Catholic and joined the United States Navy as a radio operator and gunner in the Pacific theater during World War II; and,

WHEREAS, on October 30, 1948, he married Irene Shandrick of Oakland and together had three children; Karen, Kathy and Len; and,

WHEREAS, he first entered government as a painter foreman in Public Works under the David Lawrence Administration in 1949 where he worked for 27 years, he then worked for Controller Jack Lynch for three years. He was then elected as constable and served for 16 years; and,

WHEREAS, in 1979 Whitey Boehm was elected and served for three terms before retiring as a senior Judge in October of 1993; and,

WHEREAS, on Saturday, February 26, 1994 Whitey Boehm will be honored at a testimonial retirement dinner at St. Norbert's Hall in Overbrook.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby acknowledges and commends the career and life long achievement of Leonard Wenedlin "Whitey" Boehm in public service and his undying dedication to the residents of the City of Pittsburgh.

FURTHER, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares Saturday, February 26, 1994 as Leonard "Whitey" Boehm Day in the City of Pittsburgh.

On the motion of Councilmen Cusick and Ricciardi, the Resolution was adopted.

Mr. Cusick:

Today we've brought several people up to say a few words about Mr. Boehm and his career. We have with us today Sheriff Eugene Coon which is a very close and treasured friend of Mr. Boehm.

Sheriff Coon:

Thank you Mr. Councilman, Mr.

President, Members of Council and friends, all. I think what Councilman Cusick either didn't know or didn't say was when Whitey was in the Navy, he went swimming off Guadal Canal because his ship went down and he was in the water for days. He served his Country and he served this City well.

Twenty-seven years with this City, he was a paint foreman, paint superintendent, but most of all a painter. Every time there was a tough job that somebody couldn't inspect the bridge, the monkey here would climb it. He earned his dues with this City and every citizen in this City should be proud that it has had and does have dedicated employees who really believe in their work and do it.

I'm not going to take up the morning because I've got some things to do myself but I do want to wish Whitey, his family and all of you the best of everything.

Mr. Cusick:

We're also honored to have the man who replaced Mr. Boehm, and that is our Magistrate from Carrick, Mr. Ricky King.

The Chair:

Mr. King my apologies. I did not know you were an elected district justice.

Magistrate King:

The only thing I'd like to add is I've known Whitey since my little league days and in our neighborhood he always stood for integrity and honesty. He left me with some very big shoes to fill, and I hope I can. One thing Whitey's always told me he said

"do as I say, not as I do", so I'll try to do that.

Mr. Cusick:

Finally, the man, Mr. Whitey Boehm.

Mr. Whitey Boehm:

Unfortunately you get put in these embarrassing positions. I think everybody in the audience should be up here instead of myself.

Mr. President, Members of Council, important people one and all, and there's a lot of important out there, a lot of my friends who have been around a lot of years. Course I did very well in hiding my age for a number of years until they get your service record. That's the bad thing to do. You go into the service and that is the only time you can't lie.

On behalf of my family, my friends and there is my daughter-in-law over there taking pictures she belongs up here because my son unfortunately can't get away from work.

I want to thank you very much, thank Council and everybody and the citizens of the City of Pittsburgh for this honor and I will cherish it for a long, long time.

I want to especially thank the people from the 29th and 32nd Ward that I've worked very close with most of my life and the people in Oakland. But without the citizens of the City of Pittsburgh and this great County that we have, Allegheny County, nobody can do anything themselves. You must need the support of everybody and

I can thankfully say that I've had that. We had good days and bad days as everybody knows but I want to thank you very much for this honor and its a privilege and an honor to me and my family to receive this, and thank you very much.

Mr. Cusick:

Whitey just told us about some important people that played a very special part in his life. This is his family, his wife and his daughter and his grandchildren and I'd just like to make mention of those. There are a few other people, his secretary for fourteen years, MaryAnn Johnson is here with us; the president of our FOP is here today, Mr. Pat McNamara; 29th Ward Committee Woman and her husband, Mrs. JoAnn and Joe Herman are here today. Joe is the Constable for the 29th ward. Thank you very much.

The Chair:

Thank you all.

Judging from the number of folks that came down for Whitey, I think its going to be one heck of a testimonial dinner Saturday night. They can thank the community groups, especially, for giving recognition to Judge Boehm.

At this time I'd like to call on the Honorable Councilman Alan Hertzberg who has a number of proclamations.

Mr. Hertzberg:

Thank you Mr. President. I will call two eagle scouts up first, B.J. and Nick.

A lot of political talk lately

has focused around the need to provide more activities for young people and I think that sometimes we take for granted the fact that we have a lot of existing, long standing organizations that have provided some good activities for young people.

Today we're here to honor two members of the Boy Scouts of America who have achieved Eagle status. It takes a lot of hard work and dedication including completing a public service project. These two young men are from Sheridan and let me read the resolution:

BILL NO. 218 - WHEREAS, B.J. Bogus, son of Ben and Nancy Bogus, is a member of the Boy Scouts of America, "Order of the Arrow" Troop #299, sponsored by the Brotherhood of the Trinity Lutheran Church on Sherwood Avenue in the 20th Ward of the City of Pittsburgh, Allegheny County, PA; and,

WHEREAS, B.J. has satisfied the Eagle Scout requirement of earning 21 merit badges, of which 11 are mandatory in the outdoor, fitness and service fields, and 10 are in the fields of his own choice; and,

WHEREAS, B.J. served as Assistant Senior Patrol Leader; and,

WHEREAS, for his service project requirement, B.J. organized a book drive, and under his leadership, the scouts collected over 2,500 books and then sorted, delivered and shelved the books for the Veterans Hospital at Aspinwall; and,

WHEREAS, only those young men

who have been outstanding in scouting, exhibit only the highest ideals, have the esteem of their community and fellow scouts, and serve in a position of responsibility and leadership, obtain Eagle Scout status, the highest rank in the Boy Scouts; and,

WHEREAS, through his enthusiasm, hard work and dedication, B.J. successfully fulfilled all these requirements at the young age of 13, and was presented with the Eagle Badge at the Court of Honor ceremonies on February 20, 1994.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Eagle Scout B.J. Bogus on his recent achievement and commends him for his early success.

Also

Bill No. 219 - WHEREAS, Nicholas Doerr, son of Jean and Elmer Doerr, is a member of the Boy Scouts of America, "Order of the Arrow" Troop #299, sponsored by the Brotherhood of the Trinity Lutheran Church on Sherwood Avenue in the 20th Ward of the City of Pittsburgh, Allegheny County, PA; and,

WHEREAS, Nicholas has satisfied the Eagle Scout requirement of earning 21 merit badges, of which 11 are mandatory in the outdoor, fitness and service fields, and 10 are in the fields of his own choice; and,

WHEREAS, Nicholas served as Assistant Senior Patrol Leader; and,

WHEREAS, for his service project requirement, Nicholas organized and developed a Block Watch on his street. Under his leadership, the scouts obtained a meeting place, invited the community through distribution of flyers, received the services and cooperation of the local police, presented his plan for approval, and successfully located a captain from the citizens who attended his meeting; and,

WHEREAS, only those young men who have been outstanding in scouting, exhibit only the highest ideals, have the esteem of their community and fellow scouts, and serve in a position of responsibility and leadership, obtain Eagle Scout status, the highest rank in the Boy Scouts; and,

WHEREAS, through his enthusiasm, hard work and dedication, Nicholas merited the title of Eagle Scout at the young age of 14, and will be presented with the Eagle Badge at the Court of Honor ceremonies on February 27, 1994.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Eagle Scout Nicholas Doerr on his recent achievement and commends him for his early success.

SPONSORED BY COUNCILMAN ALAN HERTZBERG.

On the motion of Councilman Hertzberg, the Resolutions were adopted.

Mr. Hertzberg:

B.J., would you like to say anything here? How about you Nick? Well I thank both of you for coming. I congratulate both of you and your families.

Mr. Horne, will you please step forward. We are honoring today Mr. John Horn. He is a member of the community of Chartiers City which is, of course, in my district and is one of the western neighborhoods of the City of Pittsburgh. Mr. Horn has been a long time community leader in his neighborhood.

Mr. Hertzberg presents:

BILL NO. 220 - WHEREAS, John Horne lives at 3662 Chartiers Avenue in the 20th Ward of the City of Pittsburgh, Allegheny County, PA; and,

BILL NO. - WHEREAS, John Horne graduated from Westinghouse High School, Class of 1935, was a hard worker and employee for the City of Pittsburgh for 24 years; and,

WHEREAS, John Horne is and has been an excellent example of a true Christian and citizen and is always willing to help his fellow man whenever possible, freely giving of his time, energy and personal attention to the community of Windgap/Chartiers while raising four children of his own; helping to organize Little League Baseball; managing the Pony Team; serving as Recording Secretary for his local Union; serving as President of the Windgap/Chartiers Civic Club; and serving on the Boards of Alma Illery Health Center in Homewood and Sheraden Homework and Computer Center (SHACC); and,

WHEREAS, John Horne serves as an Elder and is a devout member of Grace Memorial Presbyterian Church in Schenley Heights; and,

WHEREAS, John Horne has touched the lives of so many people with his wonderful sense of humor, his enthusiasm for life, and special festive occasions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and applauds the individual achievements and accomplishments of this distinguished gentleman, and thanks him for his unselfish dedication to his Church, family, neighbors, community, Labor Union and fellow City residents.

On the motion of Councilman Hertzberg, the Resolution was adopted.

Mr. Hertzberg:

Mr. Horne, I hope you will step forward and introduce the people that have come here with you today, and please say a few words.

Mr. Horn:

The young lady there is my daughter, Jacklyn Horne. She is a city employee. The gentleman there is a very good friend of mine. He is also a member of my church, Grace Memorial Presbyterian Church. I feel very honored to receive this plaque. It brings back, when you speak of the young kids, it brings back a whole lot of memories. I would just like to tell you about one. I recall once I was umpiring a little league game and I called a young man out and he threw the bat

down and looked at me and said "Mr. Horn, if you happen to die it wouldn't do any good to leave your eyes to an eye bank because whoever would get your eyes would still be blind." You know all I said was "now I don't want a whole lot of smart talk around" and that just settled that, but I think it's wonderful that someone remembers some things that you've done. Of course I never expected this and I didn't quite know what was going on. They kind of kept me in the dark, but again I'd like to thank each and everyone that participated in this award. Again I thank you.

The Chair:

Thank you, Mr. Horn. Mr. Horn you can loose your sight but not your vision okay?

At this time I'd like to call on Councilman Bob O'Connor who has a number of guests here today.

Mr. O'Connor:

Thank you Mr. President. Would the Greenfield organizations and businesses please come up. We have members from B.I.G. here. We have with us today James Hairhoger, the President of Business in Greenfield, Jean Holmer, Carole Aliskowitz, Howard Sutch, Kathy Madden and Shirley Brown.

Mr. O'Connor presents:

BILL NO. 221 - WHEREAS, Business in Greenfield, or B.I.G., has existed for five years, thanks to the hard work and dedication of its members, and the support of the Greenfield community; and,

WHEREAS, B.I.G. acts as an advocate for Greenfield

businesses, helps to improve the appearance and viability of the Greenfield business districts, and can count among its many recent accomplishments: fostering a relationship with Urban Redevelopment Authority and the Pennsylvania Downtown Center for assistance with architectural design and street face projects; running an on-going anti-graffiti at Magee Field; and having handicapped accessible sidewalks installed in the Greenfield business districts; and,

WHEREAS, B.I.G. successfully organized Greenfield's First Annual 8,000 Points of Light Celebration and Holiday Parade in 1993, and raised over \$10,000 in order to purchase 25 holiday wreaths and distribute them throughout the business districts; and,

WHEREAS, B.I.G. has not only acted as a voice in support of Greenfield business, but as one of many community supports for area youth, most recently presenting two Greenfield youths with Savings Bonds at the 1993 Greenfield Organization Awards Dinner.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend B.I.G. for five years of outstanding service to the Greenfield business community, and declares February 22, 1994 to be "Business in Greenfield Day" in the City of Pittsburgh.

On the motion of Councilman O'Connor, the Resolution was adopted.

Mr. O'Connor:

Sponsored by myself and

attested by Linda Johnson. This is a very good organization. I'm very proud to be associated with them because I think what they really do is very unselfish, they just get down to work and when we came up with the idea of a parade they all pulled together and raised the money and it was probably the biggest event in Greenfield in recent memory. So they do a lot of nice things and I'm very proud to have you here. Dave do you want to come up and say a few words?

Dave:

I'd just like to express my thanks and appreciation as spokesperson for business in Greenfield and the Greenfield residents. Thank you Council President and Council for this proclamation today. As Bob said, this past year we held our first annual holiday celebration parade. A year ago we sat down and started planning this event and quite frankly none of us knew a thing about holding a parade. But much to our surprise it turned out to be a very, very successful evening. We'd like to extend an invitation to Council, the Council President, and the City of Pittsburgh to attend our second annual holiday celebration which will be held the Friday before Thanksgiving 1994. Thank you very much.

The Chair:

Thank you all for coming down today. Keep up the good work.

Mr. O'Connor:

Mr. President I'm glad the cameras are here. I know they're here for a couple of other

reasons, but I hope you pay attention to the next group that is coming up from Allderdice High School. I don't believe the cameras are here for this reason but I'd like for you to pay attention to some of the things that are going on in our city schools. This group here is from Taylor Allderdice. We have Lee Miles and Eileen Swazuk who are teachers. We have Lee Cross, Jack Weiner, Kathy Dwyer, Charlie Desch and Adam Conn.

Before I read the proclamation I spent all day at Allderdice yesterday and I was there this morning and I'm very proud of all the kids that came in and there was no problem at the school and I hope that everybody does not liken the few who caused some problems to distract from everyone else. I got a lot of phone calls and I encourage everyone to make sure their kids go to school and do the right thing and I think we are on top of it, the one or two or fifteen or twenty, maybe, problem kids out of 1,450 we have there.

These young people are quite an example after you hear what they've done. I think of what the true Allderdice students have been up to, and most of the city kids.

Mr. O'Connor presents:

BILL NO 222 - WHEREAS, Allderdice High School is the first public school in Pittsburgh, and the ninth school in Western Pennsylvania, to successfully raise the money to fulfill a wish for the Make A Wish Foundation this year; and,

WHEREAS, Allderdice's DECA Chapter and Allderdice Community

Service together raised \$3,650 to fulfill the wish of thirteen year old Chip Fogel before the close of 1993, by selling 250 calendars, canning at Pittsburgh intersections, and selling 600 tickets to the first annual student-teacher basketball game; and,

WHEREAS, cosponsors Eileen Swazuk of Community Service, and Lee Miles of the DECA Chapter, and the following officers of both organizations coordinated the fund raising:

Adam Conn	Leslie Gross
Charlie Desch	Jamie Harris
Katie Dwyer	Jack Weiner

and presented Chip with a check on February 9, 1994.

NOW, THEREFORE, BE IT RESOLVED, that that Council of the City of Pittsburgh recognizes the important and charitable work of the Make A Wish Foundation, granting wishes for critically ill children.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Allderdice DECA Chapter and Allderdice Community Service for their outstanding efforts, and commitment to such a fine cause, and hereby declares February 9, 1994 to be "Allderdice Service Appreciation Day" in the City of Pittsburgh.

On the motion of Councilman O'Connor, the Resolution was adopted.

Mr. O'Connor:

Again thank you very much for all your doing. Come on up, Jack,

and say a few words. Jack is the head of the organization.

Jack Weiner:

I'd just like to tell you a little bit about the project. We started this project in early May of this spring. After speaking to Make-A-Wish and discussing a few possible ideas we found out that if we did complete the project to become wish makers and that is to raise \$3400, that we would become the first Pittsburgh Public School at any level to complete this project. I think that gave us a little extra incentive and we worked a little bit harder. We spent several Saturday afternoons and a few week day evenings canning at local intersections around Squirrel Hill, Oakland and Shadyside. We sold 250 calendars for the Make-A-Wish foundation. They sold for \$5 a piece. We sold them to our friends, family and other various organizations.

We also hosted the first annual faculty student basketball game. This is going to be an event that is going to be held hopefully every Fall starting this year for future years. We sold a little over 600 tickets and we had approximately 30 people participating in the event.

In addition to that, several of us have gone around to local elementary schools educating them about the Make-A-Wish foundation and the Kids for Wish Kids Program hoping that they will initiate their own programs at their various schools.

Charlie Desch:

What you guys don't know about Jack is that without Jack the

Community Service probably would have never been started. He started this about two years ago and he's not getting the credit he deserves from the school and I'd just like to bring that up.

Adam Conn:

I'd like to reconfirm what Mr. O'Connor said about Allderdice. It isn't really about what you read in the papers. There is a lot of good that comes out of it and I'm proud to be a part of it. Thank you.

Eileen Swazuk:

Good morning. My name is Eileen Swazuk and I am the Community Service Club sponsor. I am very proud to be the Community Service Club sponsor and work with this wonderful group of students. There are about fifty members; these are the officers, but a lot of people did a lot of hard work and the day that we gave the check to Chip Fogel was one of the proudest days of my career. Thank you.

Mr. Hertzberg:

Perhaps I missed it but can we hear a little bit about Chip Fogel?

Jack Weiner:

Chip is a thirteen year old from Allegheny County. He has been diagnosed with Ewing's Sarcoma which is a form of cancer. His life long wish has been to meet Mickey Mouse. In approximately three or four weeks in the middle of March he, his brother, his mother and his father will all be going to Disney World in Florida for one week, all

expenses paid, from the efforts of the members of the Community Service Club and the DECA Chapter. The limousine will pick them up at their home and drive them to the airport. They'll be flown down to Florida where they'll have a house just for themselves instead of staying in a hotel, and all their transportation will be taken care of. They will be admitted to all the parks and get to meet all the characters which is what Chip has really wanted to do. So that is where the money is going to.

Mr. O'Connor:

We had an assembly at Allderdice last Thursday or Friday and I've gone to Allderdice, my kids, my daughter graduated from Allderdice and I am in there quite a lot and I was never so proud to be at an assembly. They had all these kids that had raised the money and Chip was there and they presented a check for him. It was a very emotional day and a big day for him and I think even a bigger day for all of you. I hope you keep up the work and get out the message that this is really what the city schools are all about. Thank you.

The Chair:

Thank you Mr. O'Connor. At this time I'd like to call on Councilman Onorato who has a number of guests here from the F.O.P.

Mr. Onorato:

At this time I'd like to call Pat McNamara, Gabe Kocheras, Connie Knox, John McMahon and Andy Tapus. I'd also like to have Councilman Cusick come forward who

is a personal life long friend of Mr. McMahon who will say a few words and is co-sponsoring this with me.

Mr. Onorato and Mr. Cusick present:

BILL NO. 223 - WHEREAS, Lieutenant John F. McMahon was hired and came onto the City of Pittsburgh's police force on August 3, 1942. Lieutenant McMahon is a dedicated and hard worker who always went beyond the call of duty. He was made Lieutenant on February 4, 1954; and

WHEREAS, Lieutenant John F. McMahon's retirement date from the force was January 9, 1981; and

WHEREAS, Lieutenant McMahon was called to duty by the United States Army for World War II, but returned to his beat upon his safe arrival from war; and

WHEREAS, Some of the day to day activities in the course of his service were: In 1950 he went undercover for 4 months and arrested a drug kingpin, stopped a man from committing suicide, and during a severe snow storm he helped a woman in labor to arrive at the hospital in time to give birth to her child; and

WHEREAS, in addition to his remarkable service to the City, Lieutenant McMahon has always had time for his wife, Marion; his two sons, John Jr. and James; one grandson; four granddaughters; and one great-granddaughter; and

WHEREAS, in 1994 Lieutenant McMahon was inducted to the Pennsylvania Police Hall of Fame, making him one of only 43 members.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Lieutenant John F. McMahon for his 39 years of service and dedication to the City and the people he so proudly protected.

FURTHER BE IT RESOLVED, that the Council of the City of Pittsburgh declares Tuesday, February 22, 1994, John McMahon Day in the City of Pittsburgh.

On the motion of Councilmen Cusick and Onorato, the Resolution was adopted.

Mr. Onorato:

Before I have Mr. McMahon say a few words there are some people here that would like to comment on his career and his friendship. Mr. McMahon is a Northsider. We are proud of him from the Northside but also he is a Pittsburgher and he has dedicated his life to service to the residents of Pittsburgh and I want to congratulate him and thank him today. I would like to have Councilman Cusick say a few words. He has known Mr. McMahon probably his entire life.

Mr. Cusick:

I'd just like to say that I've known John all of my life through the Knights of Equity which is an Irish-Catholic organization in the Northside of Pittsburgh. John taught me a lot about my Irish background and definitely has played a big part in my life. I think it should be noted that John was the 1972 Irishman of the year and in 1991 he was the Harp Award winner, the only person ever to hold both awards in our organization. John was also a

national Worthy Sir Knight of the Knights of Equity which I feel is very prestigious if you know of the organization.

We talked a lot about what John has done for Pittsburgh and the community. I figured it also should be noted what John has done for his Irish heritage, which is very important to all of us because Pittsburgh is made up of so many other ethnic backgrounds. John, I wish you well and I hope that Pittsburgh realizes how special John is to all of us. John, congratulations.

Mr. Onorato:

At this time I'd like Pat McNamara and/or Dave to say a few words.

Pat McNamara:

I thank the Council persons today for honoring John McMahon who is a long time police officer in the City of Pittsburgh. John McMahon retired back into 1981 but he still associates with all law enforcement officers. On that day it was a great honor to see him inducted into the Police Hall of Fame in the state of Pennsylvania for his long recognition of service.

John, as some of you know, is the editor of our Pittsburgh Police News that goes after the Fort Pitt Lodge. He visited here this past year and because of his illness we are unable to get a newspaper out but it will be out shortly and you should see the many people approach me and ask where is our Fort Pitt News. He's been great person, a great editor of our newspaper and he has done a tremendous amount of work for the

FOP and the youth of this City. You can see from Councilman Cusick that he knew him since he was a child. And that is one of the problems I find today. If you ask our youth in our neighborhoods or the communities, can you name fifteen police officers, they cannot do so. When I was growing up you knew the police officer, they loafed in your community, they went to your gatherings and you associated with them and I find that missing today. But under John McMahon it was not missing and we have to get back to that. I'm proud today to have people with us in receiving this honor, John McMahon, our office manager Elaine Simms who is sitting back there and who is a very hard working person for police officers. The four gentlemen with me today Jay, my Vice President of the Fraternal Order of Police, and my delegates Connie Knox and Ann. Also with John today is his son John McMahon who is a tremendous sergeant who works in the ONI and works a lot in narcotics and knows the problems of our City today. I thank everybody for coming here, it's a great honor for John, a great honor for the FOP and a great honor for all people in law enforcement and the youth of our City today.

Mr. Onorato:

Before I turn it over to Mr. McMahon, is there anyone else who would like to say a few words?

Dave:

After Pat McNamara hit the microphone I can only say two things. First of all I'm a lifetime Northsider and so is John. We graduated from the same

high school, Allegheny High School. I worked with the gentleman when he was a lieutenant and I was a sergeant. We spent so many happy days together and I wish him all the luck and success. Congratulations.

Mr. Onorato:

Colleagues, ladies and gentlemen, John McMahon.

John McMahon:

I don't know what to say to tell you the truth. But seeing all these people going out of here I think there can't be anybody left. I've got to tell you a story. I'm a product of the beat cop. That was the greatest public relations service we had on the police department, the beat cop. Before I go any further, my son Johnny and I have had a couple of affairs and policemen came up and said to me, I want to tell you something, "he's a chip off the old block", and damn, boy I'm proud of that. I'm proud of him, he's a chip off the old block, that means I must've been pretty good. But any way, our beat policeman--he knew the neighborhood, he knew the night watchman, he knew the mailman, the milk driver in the morning. We have lost that. We lost the fact that we had a corner man, a traffic man on the corner directing traffic. He was there everyday. When there was a bank holdup he was often times the first guy in the bank. I remember I went into Mellon Bank one time and I beat everybody up there. One of our policeman was hurt at Mercy Hospital and I was visiting him and I would come down and Mellon Bank was at Fifth and Pride I believe. And the alarm came in

and I ran right in there. Now, about three or four days later I had my check and I was with Jim Bolger and I was going to get it cashed down at the Mellon Bank at the corner of Sixth and Wood and it was a new building. Anyway, I go in and a guy won't cash it for me. Now its written on their bank, its a City payroll check and its a Mellon Bank. Well anyway, I knew the people at the main branch at Fifth and Smithfield so I left there and I go up to Fifth and Smithfield and I knew one of the big guys down there and I wanted to see him but he was off. There was another man in his place and they put me on to him and I said, "I'm in a full uniform and they still won't cash my check," and he said "oh anybody can get one of those uniforms," and I said "now wait a minute, I want to tell you something, they didn't stop me at the door at the bank when I ran in when you thought you had a holdup. They didn't ask me if I was a cop." But anyway, we've lost that and I understand that the City today and the FOP are coming together. I want you to visualize something, a cage enclosure wired with two donkeys in the middle. There is a barrel of hay here and there is a barrel of hay there and they are fighting one another to get that barrel of hay, but something dawns upon them. They turn around and change directions. They ate that barrel of hay and then when they were finished with the one barrel of hay they asked the other. I hope that's what happens with the City of Pittsburgh and the FOP because we don't want a fight. All we are doing is paying lawyers, losing time and hurting the citizens of Pittsburgh. I want to thank you, I didn't think I would ever get this. I'm happy I will be able to wear my hat.

Mr. Onorato:

Mr. McMahon, you will be happy to know that we are putting beat officers back in every neighborhood and you are absolutely right. For my colleague who had to listen to me pound the table about beat officers for the last two years and several months on Council, you can see where it comes from. Northsiders are very supportive of the beat officers concept and I've learned from my past and I remember seeing you on the streets when I was growing up and I think it is the way to go, so we learned a hard lesson and we are going back to that concept and I congratulate you and thank you for your service to the City of Pittsburgh.

The Chair:

Thank you Lieutenant. Congratulations.

At this time I see a number of guests in the audience. I'd like to call upon Councilman Chris Smith.

Mr. Smith:

Along with Councilman Hertzberg, I think what we do is we dwell on the negative and don't look at the positive and reinforce those who are willing to give of their time and effort for our youth, but here is a resolution

Mr. Smith presented:

BILL NO. 224 - WHEREAS, the second Mister African-American competition is an intense seven week program based on the ten principles of life and modeled after the successful Miss Black

Teenage Program introduced 20 years ago by Jean Bryant; and

WHEREAS, this program is designed to build self-esteem in African-American male participants, ages 9 to 17 years of age. The program addresses the issues of crime, drugs and violence that affect the lives of many of today's African American Youths because of peer pressure or lack of proper guidance; and

WHEREAS, these participants will discuss with caring adults, Christian values, a belief in a higher power, ethics, sexuality and the pitfalls of fatherhood, drugs and disease, led by volunteers of various backgrounds; and

WHEREAS, the program also addresses the need to provide African-American youths with knowledge of their rich heritage by providing weekly classes in African-American history; and

WHEREAS, the program will conduct a talent competition segment as a means of teaching respect for one's God-given talents and the talents of others, and will consist of dancing, singing and acting; and

WHEREAS, many African-American males from the community will participate in this program to gain the tools to act as positive role models to their peers, including: George Barron, Kunta Bradford, Brian Dallas, Demond Gowder, Trevor Gowder, Roger Graham, Jr., Brian Harris, Jr., Maurice Harvey, Andre Jennings, Andre Johnson, Jr., Dwayne Jordon, Abdul Martin, Devin Moore, Aaron Phinisee, Brandon Pitts, Louis Ranson, Terrance Walker, Thomas

West II, and Jerome Wiggins; and

WHEREAS, the competition will be presented on Sunday, February 27, 1994 at 5:00 P.M. at Soldiers and Sailors Memorial Hall in Oakland by Jean Bryant Productions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh extends rave reviews to the Mister African-American competition, and declares February 27, 1994 Mister African-American Competition Day in the City of Pittsburgh.

On the motion of Councilman Smith, the Resolution was adopted.

Mr. Smith:

Well Miss Bryant why don't you come up and start this off.

Miss Bryant:

President Ferlo, Councilman Smith and Council members, thank you for this honor and this opportunity.

On February 27, I don't know if you were counting on it or not, but there will be 20 young men who will graduate from our program and join 26 others who graduated last year, so you can see this is an ongoing program and we intend that the City of Pittsburgh will have in the future a lot of positive African American males coming from this program and certainly enhancing the City of Pittsburgh. And at this time I would like to call Mr. Albert Hatley and after that Lamont Jones and some of our other volunteers.

Mr. Albert Hatley:

President Ferlo, Councilman Smith, Council Members, I'd like to thank you for this opportunity, recognizing the fact that there are positive things going on in Pittsburgh other than what we see and read. The good thing about these young people is the excitement that they bring to the program. Without them there would not be a need for Mr. African America. The one thing that they need to know is that there are options in life and we are about trying to provide them with choices and this is one choice that they have--to broaden their horizons about what can happen to them if they apply themselves. We give them the very basic and fundamental principles of life that center around the Ten Commandments. There is a higher believer and they believe in a higher being. So if there is anything that we can do that will provide them with a positive view on life, it is to provide role models by sharing with these young volunteers, reporters, attorneys, accountants, general lay people, laborers, from all walks of life, people come to hear or share their experiences. It's a very intense program that lasts from 9 o'clock in the morning to 5 in the afternoon and they all are committed volunteers who do this out of the goodness of their hearts, because they, too, want to share and make a difference in the life of these young people. Thank you.

The Chair:

Thank you.

Lamont Jones:

This is a happy occasion. I'm just a little disappointed that more of the public is not here to see these young men. It would be a direct challenge, I think, to the stereotypes that we see so often in the media and I can say that because I am in the media. But these are young men who are the example of the majority of young people who are not in trouble out there, who are not out doing bad things, who are doing constructive things and I hope people tune in when this is on television to see them. Once again, this is a happy occasion. I'd like to thank City Council and I'd like to thank the City Council President for honoring this concept, this idea, and these young men. At this time I would like to introduce Assistant U.S. Attorney Michelle Guzman who is another volunteer with the program.

Michelle Guzman:

Well, I wasn't quite prepared to make any statement on behalf of Mr. African America but I would like to let you know that I have been working with the program since its inception in February of 1993. It's probably one of my prouder achievements, working with young people and helping them to go in the correct direction and hopefully helping them to follow my lead. I appreciate it when I get questions about my career and that I am able to answer those questions and direct them in a path that I found very rewarding myself.

I would encourage all of you to attend the program on Sunday, this coming Sunday, February

27th. This program has been an encouragement and a celebration of individuality and unity above all and I would encourage you all to come out and celebrate and encourage the individuality of each of the twenty boys, we only have a few of them here, but each of the twenty boys who are competing in this talent competition and have benefited from the personal growth experience that they have had during their seven weeks, and also to celebrate that individuality and unity. Thank you.

The Chair:

Thank You.

Mr. Smith:

The program is for the kids so I'm going to put somebody on the spot and I need a volunteer to step forward and say something.

Speaker:

Through the competition I've learned how to say stuff to others, how to get along with other people. It was a really interesting experience, one that I've never had the chance to experience before.

I just would encourage all of you to come out and help us in our competition. It's going to be a real different experience for all of us. It's going to be a lot of nervousness. I just ask that you come out, help us in all of our competition. Thank you.

The Chair:

Thank you. Looks like the competition is starting already.

Speaker:

I would just like to say thank you to Miss Jean Bryant for not giving up on starting this program. I'm glad she did. I was a little hesitant at first, but now that I'm in it I feel that I've grown mentally as well as physically and culturally. I have a better understanding of where I come from and my background and I owe that all to Miss Jean Bryant and I would like to give her a hand.

Mr. Smith:

I'd just like to say thank you to my colleagues for allowing a program that's a positive thing to be on television so that people can see that in the community there are positive things that are happening. Unfortunately the media gives us thirty seconds blurps of negative things. This is a seven week positive thing. So please come out on Sunday February 27th at 5 p.m. to Soldiers and Sailors Memorial Hall. Let the kids know that we are supportive and I think you might actually enjoy yourself. Thank you.

The Chair:

Again, we especially want to thank Miss Bryant, she is a hard worker I know that from Stanton Heights community. The old African proverb that it takes a whole community to raise a child is no more true and Jean Bryant has brought that fruition, not only working with young women with the pageant but today's activities also, so we just want to say thank you very much. Thank you all.

Before we move on to

presentations, the Council President would like to offer the following proclamation and I'd like our future town crier to come forward. Members of the Council I would like to make the following proclamation:

WHEREAS, the ancient and honorable profession of town crying, which traces its origins all the way back to the ambulatory messengers of our earliest civilizations such as the Greek runners, received literary mention in the Domesday Book, published by England's William the Conqueror, way back in 1086 A.D.; and

WHEREAS, although the long tradition of town crying has diminished over the centuries with the technological advances of the news media, it has never expired; and

BILL NO. 225 - WHEREAS, town crying is in fact experiencing a world-wide renaissance with approximately three hundred and fifty "Brothers and Sisters of the Bell" practicing their art around the world; and

WHEREAS, town criers bring color, tradition and pageantry to their communities and civic happenings and are regulated by their world body, the Ancient and Honorable Guild of Town Criers; and

WHEREAS, Emily L. Bell, colorfully and nobly represents the Pittsburgh Post-Gazette as Town Crier; and

WHEREAS, Emily L. Bell is the first and only woman town crier in these United States; and

WHEREAS, a Clanger of Criers,

or gathering of town criers in the format of the North American Championships, is scheduled to occur in Pittsburgh this summer, and in order to compete in the Championships, a town crier must be formally recognized by the community as the official town crier.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Pittsburgh, that Emily L. Bell, be and hereby is recognized as the official Town Crier for the City of Pittsburgh; and

Be it further resolved, by the Council of the City of Pittsburgh, that Emily L. Bell, the official Town Crier for the City of Pittsburgh, is hereby officially recognized and commended for her superb job in carrying on the long tradition of town crying and for her pioneering role as our nation's first woman town crier.

On the motion of Council President, Jim Ferlo the Resolution was adopted.

The Chair:

I think the proclamation speaks for itself. I think many of us have seen Emily over the last many months, the last year in fact in the downtown area, and we're pleased to give her some additional formal responsibility as our town crier. I hope all of our colleagues and the Clerk will use her in the future in addition to obviously her paid obligations with the local major newspaper. Emily we're very pleased and if you would like to come forward and say a few words. I'm sure you're not bashful.

Emily Bell:

Oya Oya, Oya kind hearts and gentle people! Honorable Members of Council, Mr. President and fellow citizens of Pittsburgh, let it be known to all present that this town crier considers a civic honor and a personal delight this commission as official town crier of the great City of Pittsburgh and does accept the title with the intention only of faithfully and honorably fulfilling my broad duties of standing at the cities gate and welcoming all who enter; as your humble servant and ambassador of good will. My thanks are many my wish is to keep these noises brief, thanks mom and dad, my son, the Pittsburgh Post-Gazette, members of Council, thank you.

The Chair:

Emily we'd like for you to stand up here and this is your first assignment.

Emily Bell:

Hereby, let it be known that this is a public notice from the City of Pittsburgh. Notices hereby given that the Council of the City of Pittsburgh will conduct a public hearing to allow the general public the opportunity to comment on the reasonableness of TCI of Pennsylvania Inc.'s current service rates and related installations and equipment charges, in accordance with the FCC guidelines as submitted on the company's FCC form 393 rate filing with the City of Pittsburgh, copies of which may be obtained from the Bureau of Cable Communications in room 901 this very City County Building or by calling 255-2745. The public

hearing is scheduled for today, Tuesday February 22nd, 1994. The time is it 7 o'clock in the evening, the place City Council Chambers, Fifth floor City County Building 414 Grant Street. Citizens wishing to testify at this hearing must contact the City Clerk's office at 255-2138 prior to the above mentioned hearing to have your name placed on the speaker's list. Speakers will be limited to five minutes. Written comments will also be accepted and must be submitted to the Bureau of Cable Communications 901 City County Building Pittsburgh Pennsylvania 15219 by Monday, February 28, 1994. Signed Linda M. Johnson-Wasler, City Clerk.

The Chair:

Thank you very much Emily. Emily do you want to introduce your guests?

Emily Bell:

These are my friends and supporters. My mother and Father are not able to be here for very deeply personal reasons, but it's O.K.

Speaker:

Thank you. I just want to say that Emily's father and mother are Pittsburgh's most prominent people. Her father was honored at the Point Park College this past Saturday night to a tremendous ovation and crowd. He started the Children's Theater 45 years ago at the Pittsburgh Play House. He's not well but he was aware of all of the people who came to honor him. He should be honored here as well and her mother who participated in giving children a background to make them a positive

people rather than what we see in the media so many times. God bless you Emily. She's been a wonderful daughter to a man who is ill and we thank her very much. I'm very proud to be here today on behalf of her friends.

The Chair:

We thank you very much.

Mr. Cohen:

Thank you Mr. President. I also want to take a moment to tell folks who may not know Esther Lopedis about her and about how important a person she is in the City of Pittsburgh. She is a wonderful actress and a comedian and also an author here, one who has written columns about the culture of Pittsburgh and its a pleasure to have her down here as well.

The Chair:

Thank you Mr. Cohen very much. Thank you all and good luck in the competition. Thank you.

I want to assure my good friends down at the Post-Gazette that we will continue to place formal legal notices in the ads, in addition to the services of Miss Bell.

At this time we will move to Presentation of Papers.

PRESENTATIONS

Councilman Hertzberg for Councilman Darkins presented:

No. 226 Resolution further amending Resolution No. 1455, effective January 1, 1994,

entitled "Resolution adopting and approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program; and approving the 1994 through 1999 Capital Improvement Program", by adding a new line item, called Wayfinder Signage Program in the amount of One Million Five Hundred Thousand (\$1,500,000.00) Dollars.

Also,

No. 227 Resolution providing for a Contract or Contracts, or the use of existing Contracts for a Wayfinder Signage Program throughout the City of Pittsburgh and other work incidental thereto at a cost not to exceed \$500,000.

Which were read and referred to the Committee on Public Works.

Mr. Onorato presented:

No. 228 Resolution authorizing and directing the Director of the Department of Public Safety and the Chief of the Bureau of Building Inspection in cooperation with the Board of Code Review, to conduct a review and to propose certain regulations and/or legislation for Council's consideration with regard to the use of battery operated carbon monoxide detectors in any and all structures within the City of Pittsburgh.

Which was read and referred to the Committee on Public Safety.

Mr. Smith presented

No. 230 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by creating sign regulations for the "C6" district (excluding advertising signs) and

by revising the height regulations for new structures in the "C6-A" subdistrict.

Also,

No. 231 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, 921, Section 921.02, Zoning District Map No. 7, by changing from "M2" Limited Industrial District "M3" Light Industrial District, and "M4" Heavy Industrial District to "C6-A" Downtown Riverfront District certain property generally bounded by the Ohio River, Ohio River Boulevard, Western Avenue, Ridge Avenue, and Stadium Drive, 21st and 22nd Wards. (Council District No. 6)

Which were read and referred to the Committee on Planning, Housing & Development.

The Chair presents:

No. 232 Resolution authorizing and directing the Mayor and the Treasurer of the City of Pittsburgh to amend the Pittsburgh Form 40, Earned Income Tax Form, to include a "check-off" box to allow a donation to the Hunger Trust Fund.

Which was read and referred to the Committee on Finance.

UNFINISHED BUSINESS

The Chair:

Under Unfinished Business are there any Reports to Special Committees or any matters relative to unfinished business? Is the Clerk aware of any? Any member of Council, Mr. Smith?

Mr. Smith:

It has come to my attention and we had discussed at the Council table about letting of contracts with MBE/WBE through the "B" contract and here I have discovered without notice from anyone as to how it occurred, a three hundred fifty-four thousand dollar "B" contract and I think we need an explanation from the Administration. This is a usurping of the MBE/WBE issue. We have already asked that it not occur and yet within two weeks of that request it has occurred again.

The Chair:

Mr. Smith could you please clarify the bill and is this the bill that has been introduced today already on the agenda?

Mr. Smith:

It was a bill that had been sponsored by Mr. Cusick in terms of notification and prevailing

The Chair:

I know about that bill. I'm referencing the bill that you're mentioning. What is the specific bill regarding the expenditures?

Mr. Smith:

It is a "B" contract that has been let for three hundred fifty-four thousand dollars which usurps the MBE/WBE and by the way, Councilman Onorato, it's for crack ceiling.

The Chair:

Mr. Smith if you can make that available to the Clerk. You are

specifically referencing the notification that we did receive regarding one of the "B" contracts already let out and awarded and you are questioning the MBE/WBE participation or lack thereof.

Mr. Smith:

Correct.

The Chair:

So if the City Clerk could please forward that to the appropriate director and since it does involve Engineering and Construction, I believe, we would ask that Mr. Cusick follow up on this maybe with a report by next week's meeting.

Mr. Onorato:

Thank you for that information Councilman Smith. I would also like to add to that request to find out if it's the same company that performed the crack ceiling on the Northside and I think it's some of Councilman Ferlo's district which caused a lot of havoc and a lot of property damage last year, and if it is, have they reimbursed the City for the problems they caused last year. I would not want to see any more crack ceiling on the Northside if it's the same company.

The Chair:

Thank you gentleman. At this time we'll move to Reports of Committee.

REPORTS OF COMMITTEE

Mr. Onorato presented the Report of the Committee on Finance for February 16, 1994, with an affirmative recommendation.

No. 145 Resolution providing for the issuance of a Seven Hundred Eighty Dollar (\$780.00) warrant in favor of Donald G. and Colette Williams in settlement of claim for sidewalk damage due to City tree roots at 4769 Wallingford Street, charging same to Code Account No. 46, Judgments.

Also

No. 147 Resolution providing for the issuance of a One Thousand Dollar (\$1,000.00) warrant in favor of Computer Transport in settlement of claim for property damage incurred when claimant's truck struck an overhead railroad bridge at South 21st and Josephine Street, charging same to Code Account No. 46, Judgments.

Also,

No. 148 Resolution providing for the issuance of a Nine Hundred Eighty Seven Dollars (\$987.14) warrant in favor of Stephen Glickman for property damage incurred when a water line broke after the installation of a remote water meter at 428-430 Oakland Avenue, charging same to Code Account No. 46, Judgments.

Also,

No. 149 Resolution repealing Resolution approved on April 7, 1992, authorizing the sale of property in the 26th Ward of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance

Also,

No. 196 Resolution amending Resolution No. 283, effective March 23, 1992 as amended by Resolution No. 612, effective May 7, 1993 entitled "Resolution providing for the filing of an application with the U.S. Department of Justice for a grant in an amount not to exceed \$1.5 million in 'Operation Weed and Seed' funds" by providing for transfer of certain funds from Operation Weed and Seed Trust Fund to the Special Events Cost Recovery Trust Fund.

The Chair:

You've heard the reading and titles of the bills. Is there any discussion on any of these bills?

Hearing none the bills are ready for final action. All in favor of the passage of the bills will vote aye when your names are called, all opposed will vote no. Will the City Clerk please take the roll?

ROLL CALL
AYES

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, Pres

Ayes: 8

Noes: None

The Chair:

The bills, having received the legally required number of votes, are passed finally.

Councilman Hertzberg for
Councilman Darkins presents:

Report of Committee on Public
Works for February 16, 1994 with
an affirmative recommendation:

No. 87 A Resolution providing
for a contract or contracts, or
the use of existing contracts for
a playground hazard analysis
throughout the City of Pittsburgh
at a cost not to exceed Ten
Thousand Dollars (\$10,000.00),
chargeable to and payable from CA
Play Area Safety Improvements..

The Chair:

You've heard the reading and
title of the bill. Is there any
discussion?

Mr. Cohen:

Thank you, Mr. President. On
this bill, you're handing out at
this moment the letter that I sent
to Sal Sirabella on Friday, and
I'd like to just read it. It's a
short letter if I may.

"Dear Deputy Mayor Sirabella:

With reference to the
comprehensive playground safety
audit and comprehensive playground
safety program, I have outlined
the work to be performed for the
City of Pittsburgh by a
consultant. This letter shall
serve to define the scope of the
work that we discussed during the
Standing Committee Meeting on
Wednesday, February 16, 1994.

We seek assistance in three
areas:

1. To review, refine and
amend as necessary the check lists
that are prepared by the

Department of Public Works based
on ASTM and CPSP guidelines.

2. Conduct training of
approximately 12 city employees on
those standards for playground
safety and on how to conduct a
field investigation of the one
hundred sixty-six play areas in
the City, and accompany and
supervise City employees of the
three initial test sites.

3. After the investigation of
all play areas is completed and
the data compiled, assist in the
creation of the comprehensive
playground safety program based on
the finding of the comprehensive
audit."

If you recall at the Wednesday
meeting, Mr. Sirabella asked me to
make a recommendation for the
expert to do those three things
and it says here in the letter my
recommendation for a consultant to
perform this work is Elizabeth
Caesar, her address, phone number
and a fax of her resume are
attached. I would appreciate it
if you would instruct the Law
Department to enter into a
contract as soon as possible.
I've passed around Elizabeth
Caesar's resume and I think you
can see she is very well
qualified. She is a consultant in
playground safety. She actually
co-founded and is President of a
group that designs and
manufactures play equipment and
she has conducted many, many
seminars in this area. I think
she is well qualified for this and
we should move ahead as quickly as
possible to make sure that the
audit and hazard analysis of all
play areas in the City of
Pittsburgh is completed as soon as
possible and then to move forward
with an actual comprehensive
playground safety plan.

When all of this is through, Mr. President, I think we are going to be able to have a whole new definition of playground improvements and its going to be based not on politics or turf battles or any other reason but rather on safety which really should be the fundamental principle guiding improvements of our play areas. So what I would like to do is have my comments from the discussion with Mr. Sirabella from last Wednesday brought forward and I would appreciate it if we could move ahead with this bill.

REFER TO ADDENDUM FOR COMMENTS

The Chair:

Thank you very much Mr. Cohen.

Mr. Cusick:

I'd just like to commend Councilman Cohen for working with this Council and this Administration. This bill started out at \$40,000.00 and through a good deal of communicating with our Administration, with some of the schools in the area, Mr. Cohen has been able to bring it down to \$10,000.00. I think he needs to be commended. I think it is a well needed program and we need this program in the City and I'd just like to thank you for your input on that.

The Chair:

Other discussions?

I'd like to thank Mr. Hertzberg who raised his eyebrow on the expenditure initially and caused a re-evaluation in addition

to Mr. Cohen's comments, and I hope that that could be a benchmark for our review of other consultant fees and obligations that come by these Chambers.

Mr. Cohen:

I also want to thank all my colleagues for their help on this bill and the Administration. The real beauty of this plan as we move forward is that its going to be done by City workers and there is no reason why City workers can't do this. They're very well qualified and they have the ability to do it so long as we make sure that they are well trained. I think that after this is done and City workers conduct the project it will be a model for other cities throughout the country.

The Chair:

Thank you very much. Any other discussion?

Hearing none the bill is up for final action. All in favor of the bill will please vote aye when your name is called others opposed vote no. Will the Clerk please take the roll?

ROLL CALL

AYES

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, Pres.

Ayes: 8

Noes: none

The Chair:

The bills, having received the legally required number of votes, has passed.

Mr. Smith presented:

Report of Committee on Planning, Housing and Development for February 16, 1994 with an affirmative recommendation.

No. 39 A resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the Publicly-Owned property in the 16th and 17th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, Block 12-P-Lots 92, 96, 106 and part of lot 152, under the Industrial Land Reserve Fund.

Also,

No. 40 A Resolution approving execution of a contract for Disposition by Sale of Land by and between the URA of Pittsburgh and James and Therese Eaborn for the sale of Block 12-P Lots 92, 96, 106 and part of lot 152, in the 16th and 17th Wards of the City of Pittsburgh,

Also,

No. 150 A resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the Publicly-Owned property in the 10th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 50-L Lots 54 and 55 under the Residential Land Reserve Fund,

Also,

No. 151 A Resolution approving execution of a contract for Disposition by sale of Land by and between the URA of Pittsburgh and Paula Shields Barnett for the sale of Block 50-L Lots 54 and 55 in the 10 Ward of the City of Pittsburgh for the sum of Five Hundred Dollars (\$500.00),

Also,

No. 152 A Resolution approving execution of a contract for Disposition by sale of Land by and between the URA of Pittsburgh and Friendship Development Associates, Inc., for the sale of Block 50-R Lot 7 in the 10th Ward of the City of Pittsburgh for the amount of Two Thousand Two Hundred Dollars (\$2,200.00),

Also,

No. 153 A resolution approving execution of a contract for Disposition by sale of land by and between the URA of Pittsburgh and Spring Garden Neighborhood Council, Inc. for the sale of Block 24-F Lots 283, 284A, 284B, 284C, 286A, 286 and 287 in the 24th Ward of the City of Pittsburgh,

Also,

No. 154 A Resolution approving execution of a contract for Disposition by sale of Land by and between the URA of Pittsburgh and Bloomfield-Garfield Corporation for the sale of Block 83-J Lot 64, in the 11th Ward of the City of Pittsburgh in the amount of Three Thousand Dollars (\$3,000.00),

Also,

No. 155 A resolution

authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the Publicly-Owned property in the 15th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 54-K part of Lots 140 and 276, under the Residential Land Reserve Fund,

Also,

No. 156 A resolution approving execution of a contract for Disposition by sale of land by and between the URA of Pittsburgh and Greenfield Terrace Apartments, Inc., for the sale of Block 54-K, part of lots 140 and 276 in the 15th Ward of the City of Pittsburgh for the sum of Three Thousand Dollars (\$3,000.00),

Also,

No. 157 A resolution authorizing the URA of Pittsburgh to submit an application for financial assistance in the amount of Four Hundred Thousand Dollars (\$400,000.00) to the Pennsylvania Department of Community Affairs for the North Shore Development Project Area.

Also,

No. 158 A resolution authorizing a Cooperation Agreement with the URA of Pittsburgh for the North Shore Redevelopment Project Area providing for the reimbursement by the City of the Commonwealth for any expenditures found by the Department of Community Affairs to be ineligible and obligating the City to pay any local share of project costs.

The Chair:

You've heard the reading and titles of the bills. Is there any discussion?

Mr. Smith:

Bill 153. It is not the project that I am against, it is the process of granting an exception to an ordinance that existed in the City. Are we sending a signal that the MBE/WBE requirements are not that important? This Administration has yet to fill positions in the monitoring division of the MBE/WBE and in fact, it is asking us to give people raises when there are two part-time positions that need to be two full-time positions. I am afraid that this Council is sending a signal to the Administration and to other organizations that if need be we can get around any of this MBE/WBE. My fear is also that it will go to many aspects such as union, prevailing wage, that we should not send a signal that if you are not complete in accordance we will forgive you. So therefore, I will be abstaining on 153 based on process protest and not the actual construction of what is needed and wanted by the community.

The Chair:

Other discussion on this matter or other matters.

Mr. Cusick:

Yes Mr. President. I, too agree with Mr. Smith regarding the MBE/WBE policy. I think that your amendment at our last meeting and pending the submission of an MBE/WBE policy pursuant to the Pittsburgh Code, I believe that

covers that as long as they fulfill those requirements or goals that are set forth in the MBE/WBE. So I will be voting in favor.

The Chair:

In response, Mr. Smith's point is well taken. The amendment does explicitly legally bind the Administration prior to the execution of this agreement to confirm and verify the MBE/WBE participation, but I think Councilman Smith's concerns are well taken.

We have a major proposal from the Administration on various changes to the budget, one of which does deal with the issue of the MBE staff, and I think before we let that issue go Wednesday we need some clarification from the Administration on exactly what the configuration and commitment is relative to staffing, and the authorization of this Council for the 1994 budget. That is true not only in this instance but the Parks and Recreation proposal that Mr. O'Connor offered. We want a clarification on that. Again, there's an opportunity tomorrow to clear the air and resolve a number of issues relative to the Administration's request. I hope that we can zero in on that at the session tomorrow in the Standing Committee.

Any other discussion on any other matter or on this bill?

Mr. Hertzberg:

On this bill, Mr. President. I don't want a message out there that I don't think the participation of minorities and women is important. That's not the message that I want sent, but

I am voting in favor of this bill. This bill again does have the provision in there. I think the kind of message I want to send out to the community and to a community organization like this that is trying as hard as they can to expedite and improve within their community, is that we are going to try to work with you and if you miss the technical deadline we'll try to help you out. That's the message I'm trying to send and I'm trusting that the Administration will uphold the particular part of this bill in which we require that the MBE/WBE requirements be met along the way here.

The Chair:

Thank you and again to clarify the bill, it is a property transfer. It is not contractually allocating resource dollars which is done Administratively with this community development group and the URA. So I think to some extent they are separate and distinct issues.

Any other comments regards to this matter or any other bill? Hearing none the bills are ready for final action all in favor of the passage of the bills will vote aye when your name is called, all opposed will vote no. Will the Clerk please take the roll?

ROLL CALL
AYES

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, Pres

Ayes 8

Noes None

with the exception of Bill 153, Mr. Smith abstained.

The Chair:

The bills, having received the legally required number of votes, have passed.

Mr. O'Connor presented:

Report for the Committee on General Services for February 16, 1994 with an affirmative recommendation:

No. 136 An ordinance supplementing the Pittsburgh Code title I - Administrative, Article VII - Procedure Chapter 161 - Contracts by adding a new section 161.26 Notification of Council of Emergency and Maintenance Contracts.

Also.

No. 159 A resolution authorizing and directing the Director, Department of General Services, to conduct a public auction to sell certain Bureau of Cable Communications set accessories.

The Chair:

You've heard the reading and titles of the bills is there any discussions?

Mr. Cusick:

Thank you, Mr. President. I'd like to ask the City Clerk that my comments be brought forward on Bill 136 and that I would be able to make a brief comment regarding this bill.

I think it has to do exactly with what Mr. Smith talked about

earlier and that is the notification. We want to find out who the bidders are on these "B" contracts. This takes care of that. We shouldn't have the problems that Mr. Smith talked about earlier because each and everyone of the Council persons will be able to examine how the contracts are being bidded out. I hope that my colleagues will all vote for this. I think it is very important, and it's just another part of the checks and balances.

The Chair:

Thank you, Mr. Cusick. Any other discussion on any other bills?

Mr. Cohen:

I briefly just want to congratulate Councilman Cusick on his bill because I think it makes a step forward in terms of Council being notified about projects. We've had a couple already that have come before Council where we didn't have notice and I think that this will solve that problem and I appreciate him taking the initiative on this issue.

The Chair:

Thank you, Mr. Cohen. Any other comments?

Mr. Ricciardi:

I'd like to salute you on your bill. I think what we're saying here to the people who pay their TCI bill, that is if we're going to question the rate of TCI we're also going to have to question the way that we spend our franchise fee and that's what I think you focused in on.

The Chair:

Thank you, Mr. Ricciardi. Just to clarify on that issue, the Public Auction of Art Work again is pursuant to the opinion of the Law Department. There was a question about the bill as you know on the sale that's proposed regarding a public auction of art work or other resources of the Cable Bureau. In this case we're zeroing in on various art pieces. The proposal in this resolution would direct those monies to the Public Safety Trust Fund. This is a trust fund that helps supports the community oriented policing expenditures, and pursuant to the Law Department's opinion, the solicitor has ruled that, and I read accordingly, it is the opinion of this department that the proceeds from the Cable Bureau set accessories (i.e. art work) in question may be deposited into the Public Safety Trust Fund and again, that's part of the resolution we are voting on today.

Mr. Cusick:

Mr. President, I'd just like to congratulate you again on this bill. I think it is very important, but not only that you've even gone one step further and that's asking our County Controller for a complete audit of the Cable Bureau. I don't know if we've received an answer yet, but again I think it is a real important issue. I'd like to see this money go back into our public safety and I'm sure a lot of the colleagues here would also like to see that.

Mr. Cohen:

Thank you, Mr. President. I also was going to comment on the legal opinion and I'm glad that

the solicitor was able to find that we can put these monies in the Public Safety Trust Fund. I want to applaud you for deciding to put the money there. I think there is no more important item in the budget that we have right now, of course in the Public Safety Trust Fund. So I'm glad we can put it in there and I just want to reiterate what Councilman Ricciardi said, which is that we are now putting pressure on TCI of Pennsylvania to open their books and be subject to scrutiny and we should be subject to the same scrutiny for our books, for our own cable department, and I think that this bill takes a step in that direction.

Mr. Hertzberg:

Mr. President, again on the TCI matter, I also appreciate your investigation into this matter and I'm hopeful that the City Controller will find some additional revenues for us because what our solicitor is telling us is that if we can find some fat here in these franchise fees that we as a body can take those funds and expend it as we see appropriate, so that maybe we find some additional revenue here in the future, and there are a lot of different areas that I'm sure we can find use for them. Thank you Mr. President.

The Chair:

Thank you Mr. Hertzberg. Any other comments on any other bills?

Hearing none the bills are now ready for final action. All those in favor of the bills will please vote aye will your name is called. If you are opposed please vote no. Will the Clerk please take the roll?

ROLL CALL

AYES

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, Pres

Ayes: 8 Noes: none.

The Chair:

The bills, having received the legally required number of votes, have passed.

Councilman Hertzberg presented:

Report for Committee on Parks & Recreation for February 16, 1994 with an affirmative recommendation:

No. 141 A resolution amending Resolution No. 903, approved August 2, 1993, entitled, Resolution amending Resolution No. 830, approved July 9, 1993, entitled: Providing for an Agreement or Agreements with Peabody High School, for the Peabody High School Band Parents, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh. The total cost of the agreement shall not exceed One Thousand Dollars (\$1,000.00) by changing the conduit group to East Liberty Development Corp.

Also,

No. 144 A resolution providing for a lease or leases and/or license or license for the use of certain property for a Community Recreation Center

located at 200 Tabor Street at a yearly rental cost not to exceed Nine Thousand Nine Hundred Dollars (\$9,900.00) payable from Code Account 1810, Miscellaneous Services, Department of Parks and Recreation.

The Chair:

You have heard the reading and title of the bills. Is there any discussions?

Mr. Hertzberg:

With respect to Bill No. 144 I would note that is in the excellent neighborhood of the City of Pittsburgh. This Saturday morning at 10 a.m. the Mayor will be holding a community meeting there. Everyone is invited to attend. I'm very pleased that the Mayor has chosen Esplen to have a meeting there. It's an area that has suffered greatly from neglect and I'm hoping will benefit from this meeting, and in fact this lease contemplated here, the site is going to be the site of the meeting.

The Chair:

Thank you Mr. Hertzberg.
Other comments?

Mr. Ricciardi:

Thank you Mr. Ferlo. If there are no objections from my colleagues, I'd like to register an aye vote for the last bills that were called.

The Chair:

No objection. Please record Mr. Ricciardi appropriately.

Mr. Ricciardi:

Thank you.

The Chair:

Any other comments, discussion? Hearing none the bills are now ready for final action. All in favor the passage of the bills will please vote aye when your names are called, if you're opposed please vote no. Will the Clerk please take the roll.

ROLL CALL

AYES

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, Presi

Ayes 8 Noes none

The Chair:

The bills, having received the legally required number of votes, have passed finally.

Council Cusick presents

Report for the Committee on Engineering and Construction for February 16, 1994 with an affirmative recommendation:

No. 137 A resolution amending Resolution #289, effective April 10, 1991, entitled Providing for an Agreement or Agreements, or the use of existing Agreements with a consultant or Consultants for Design Services in connection with the widening of Penelope Street; by increasing the total project

allocation by Twenty-Five Thousand Dollars, (\$25,000.00)) from One Hundred Fifty-Thousand Dollars (\$150,000.00) to One Hundred Seventy-Five Thousand Dollars (\$175,000.00),

Also,

No. 138 A resolution providing for an agreement or Agreements, with a Consultant or Consultants for Engineering Services in connection with the Design of the Replacement/Rehabilitation of the Allegheny Park Footbridge; at a cost range of Ten Thousand Dollars (\$10,000.00) or more but not less than Twenty-Five Thousand Dollars (\$25,000.00),

Also,

No. 139 A resolution providing for an agreement or Agreement, or the use of existing Agreements, with a Consultant or Consultants, for Engineering Services in connection with the Design of the Rehabilitation of the McArdle Roadway Viaducts #1 and #2; at a cost range of Five Hundred Thousand Dollars (\$500,000.00) or more but less than Seven Hundred Thousand Dollars (\$700,000.00),

Also,

No. 140 A resolution providing for a Contract or Contracts or use of existing Contracts in connection with the Full-Depth Asphalt Program at a cost range of One Hundred Fifty Thousand Dollars (150,000.00) or more but less than Two Hundred Fifty Thousand Dollars (\$250,000.00).

The Chair:

You have heard the reading and titles of the bills. Is there any discussion?

Mr. Cusick:

Mr. Ferlo, on bill 147 we asked the question last week of the Director whether or not the sign has been changed and I haven't received an answer whether the bridge sign has been replaced. I think that we should recommit.

The Chair:

You're the Chairman. What do you want to do?

There is a motion to recommit, is there is a second? There is a second. The discussion on the recommitment, Mr. Hertzberg.

Mr. Hertzberg:

I think we've already approved this. I think we've already voted on it. What bill are we talking about here? I think 147 has already been approved.

The Chair:

Excuse me. We're going to need clarification. What bill relative to the footbridge would you like to have recommitted Mr. Cusick

Mr. Cohen:

The bill actually is in Finance and it was that bill that Mr. Cusick spoke about where there was a sign on the overhead bridge and he wanted to know whether or not that sign had actually been changed or not.

The Chair:

I would suggest that since we acted on that we find out pursuant to the rest of the day's agenda what exactly is happening on this bill. We can actually change our vote next week if we have to, which I would advise that we do not. But I'm sure we can resolve this by the end of the day.

Mr. Cusick:

Thank you and my apologies.

The Chair:

No problem. Other discussion?

Hearing none the bills are ready for final action. All in favor of the bills vote aye if you're opposed please vote no. Will the Clerk please take the roll?

ROLL CALL

AYES

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, Pres

Ayes 8

Noes none.

The Chair:

The bills, having received the legally required number of votes, have passed finally.

Next order of business is Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Mr. Onorato::

Mr. President, this should have been submitted during Finance. I'll submit it now. It's a resolution for the General Obligation Bonds that was discussed for the infrastructure to be introduced today to be discussed next Wednesday.

The Chair:

Will the Clerk please read this bill?

Mr. Onorato presented:

A Resolution authorizing and directing issuance of series of General Obligation Bonds Series of 1994A.

The Chair:

This bill has been read it will come up next week on a Wednesday. I want to applaud Mayor Murphy and his Administration. This is a little bit of a break with the previous Administrations. This will be done on a competitive bid basis and I'm sure there will be a lot of discussion relative to the priorities of the \$45 million dollar appropriation expenditures.

Other matters under Motions and Resolutions. We have two bills to be read into the record,

The Chair and Mr. Cohen present:

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares QED Communications, Inc. to be a civic and/or service organization within

the context of the Pennsylvania Small Games of Chance Act, as amended,

Also,

Mr. Ferlo presented:

NOW THEREFORE BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby recognize and declare the Pittsburgh Ballet Theatre a civic organization within the context of the Pennsylvania Small Games of Chance Legislation.

The Chair:

You've heard the two bills, any discussion? The motion to approve, please?

On the motion of Council, the Resolution was adopted.

The Chair:

Other discussions under Motion and Resolutions?

Two brief things. One is I've indicated to the Administration and I know a number of Council members have also communicated. It takes two to tangle in City Government. If we're ever going to get anything done the Legislative Branch and the Executive Branch have to work together.

To his credit Mayor Murphy has launched a number of community neighborhood based meetings on the needs assessments of neighborhoods throughout the City. They are going by neighborhood. It's my understanding and I know Mr. Hertzberg mentioned earlier that this Saturday the 26th there will be a neighborhood town meeting both Esplan at 10 a.m., and at

Regent Square on the other side of the eastern portion, Mr. Hertzberg, at 2 p.m. I believe on March 2nd, I know Mr. Onorato has been working on this, the Marshal Shadeland area at Bethel Assembly. There will be a meeting and all the evening meetings will be held at 6:30. March 16th is the Lawrenceville Community, both the 6th, 9th and the 10th Wards and I've asked them to look up the Teamster Temple. Knoxville, I believe Mr. Ricciardi is working on this with the Administration March 7; Overbrook, March 10th, possibly at Saint Norberts. Mr. Cusick has been helping on this point and in the Bluff area March 15th, I believe is the tentative date and I would ask obviously that the Administration work with each respective Council member and I see Mr. Cohen's hand going up.

Mr. Cohen:

Mr. President would you please provide us all with the list of those dates and I'm sure the East End is in there somewhere.

The Chair:

Yes. We have a few. I know I the Highland Park Community Club has asked that the meeting not take place until some time in April which I know the Administration will be honoring.

If these meetings are to be productive I think some advance discussion by some of the leadership in these neighborhoods should happen and obviously Council members are very active in all these neighborhoods and I think we need to help formulate what some of the priority areas are for City Government both on the operation side as well as future capital infrastructure

consideration. Again we need to work in a cooperative spirit with the Administration on these and I would ask the Clerk to formerly communicate to the Mayor thanking him for launching these neighborhoods meetings; however, reminding him to be in touch with each respective Council member as it relates to date, time, place and agenda of the various meetings.

Are there any other issues on this matter?

We have a post agenda immediately following this. We'll have a few minutes for the cameras to be rearranged. This involves the City Pride Bakery and if we have no other discussion or concerns at this point, Mr. O'Connor.

Mr. O'Conner:

Very briefly. I know we have a public hearing but I've been getting a lot of questions about the carbon monoxide legislation that I'm introducing tomorrow and it will come to the table next week. I just want to briefly within a few seconds cover the items.

Carbon Monoxide intoxication accounts for almost half of the fatal poisons in the United States. Carbon monoxide is commonly misdiagnosed with flu-like syndromes and creates thousands of illnesses. Neither the City Building Code nor the BOCA national code has adopted anything to address the use of new carbon monoxide detectors whether it be residential, institutional or commercial. Especially during the severe winters we've had, there is quite a danger with poor heating systems, people tend to

use their stoves, kerosene heaters, and it has presented quite a danger to the public. What this legislation amounts to is to determine the adequacy of the building code with the regard to the prevention of carbon monoxide, and determine what preventive measures should be adopted by the City, if any. Also, that we present to Council within 60 days its findings and if appropriate, we would pass legislation for your consideration.

What I would really like to achieve in this legislation, I feel it's a health and safety issue that should be brought forward especially since it concerns children and senior citizens. There is a new technology that I think we should be taking advantage of. What I would request, Mr. President, for next Wednesday's meeting, is that BBI, Dom Cimino would be there, Chief Kennedy from the Paramedics and Fire Chief Dickerson if they could be at the table to discuss the issue.

The Chair:

I have no objection to that. Traditionally, when a bill is introduced like this as well as a zoning bill, it's usually, immediately referred to the Board for a report and recommendation. You're suggesting now that you would like some preliminary discussion.

Mr. O'Connor:

Yes, and then go to the board, you are absolutely right. That's my intention to go to the Board.

The Chair:

Would you please notify them so that they're sure to be here.

We do need an motion to excuse the absent member and also approve the minutes. All in favor of that matter?

On the motion of Council, the motion was approved.

Mr. Cohen:

This a very quick reminder, Mr. President, and that is that there will be a public hearing tonight at 7 p.m. here at the City Council Chamber about Cable rates, charges and services. If you would like to come down and talk about Cable rates or services, call 255-2138 to get on the speaker's list. Thank you.

The Chair:

Thank you Mr. Cohen.

On one other matter briefly because it early in the year and I think we need to start talking about it now because we have a new Administration whose not necessarily been aware of past problems, but I happened to notice this flier at the elevator regarding a hundred summer jobs. These are part-time jobs relative to the summer life guards. Looking at this leaflet I'm very concerned because it looks like a repeat of the same old thing and this leaflet doesn't cut it. We're not going to achieve the directive of this Council which is to have all neighborhood pools open from late June through Labor day. The \$6.00 per hour is still a concern, not assisting individuals with their certification is still a concern,

the issue of residency is still a concern and this is not going to cut it. So I would ask respectfully that Mr. Hertzberg is chairing this Committee Parks and Recreation, please follow up on this matter and maybe you can give us a report at next week's meeting.

Mr. Hertzberg:

I can give you a brief one right now. There has been quite a bit of work put into trying to ensure that we staff the City's swimming pools for the entire summer. Great efforts have been made and are continuing to be made. Something that you're going to see coming up soon that I'm working on it, it may not resolve some problems this summer cause its going to take some time, but you're going to see a proposal to amend Pittsburgh's Home Rule Charter to permit us to employ Pittsburgh Public school employees during the summer months.

Currently the City's Charter prohibits that and of course we have to get that on the ballot and I'm sure we don't have time to do it for this summer but that's something for next summer.

There's a whole variety of things we are doing this summer to get the word out and the applications are up and I think we're going to be fine.

The Chair:

Okay. Again if anyone is interested in a summer life guard position, forty hours a week pay, they can call 622-6917 in relation to this activity, but we do need a post agenda on this matter in the next few weeks and I'll look to Mr. Hertzberg to deal with that issue.

Any other concerns? If not I want to tend a motion to adjourn.

Moved and seconded.

This meeting stands adjourned.

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 87, WEDNESDAY,
FEBRUARY 2, 1994)

Mr. Cohen:

Thank you, Mr. Chairman. Just to bring us up to date on this. If you recall the playground safety legislation that this Council passed calls for an audit and hazard analysis of every play area and piece of play equipment in the City of Pittsburgh. Certainly because there have been injuries -- over 200,000 injuries nationwide of children on play equipment and that is what gave rise to this legislation. In that it requires this analysis to be done. Last week the Administration presented us with a consultant to review and we decided to hold the bill for one week so that we could have a review of the consultants. Since then I have spoken with Mr. Sirabella and Mr. Kraszewski about this and I would like rather than to put words into your mouths, would like to hear what your proposal is this morning.

Mr. Sirabella:

I'm looking at this matter and this is a carryover from last year from one of my discussions I've heard you talk about -- this is a five-month process that hasn't come to finalization yet.

Looking at this matter I simply asked the question can we do this in-house and I spoke to you about it Councilman Cohen, and we have since then looked to see if we can and the ultimate goal of this is not only to do this one-term study but to produce a type of sensitivity by all our employees to these type of problems. I would simply propose that we have and Director Kraszewski is going to speak next -- looked at this item and then also propose that we bring in a training element here where our individuals that work for us will be trained to look for these types of problems and if it takes someone to train a trainer who will train our employees on an ongoing basis then that's what I'm looking at. So I'm looking to restructure this thing and possibly save some money but more importantly keep the goal of safety in the parks so we need a little more time and in this past week Director Kraszewski has looked at the matter and has come back with a preliminary report and I have asked him to talk to you about that now.

Dir. Kraszewski:

After listening last week to all of Council's concerns and views, I digested the information and held a meeting following Council session and met with staff and made inquiries to other agencies within the city that could possibly support the in-house project versus going outside. We do have inquiries out to the local universities as well to see if we can get some

support staff there asking for free to start with and see what happens.

It was determined and it was my view after assessing it personally that we did have in-house resources that were good. There's a good deal of expertise in the Department of Engineering and Construction which can be made available to us to oversee the management of this undertaking and I met with Parks staff and we're building a team to do this and we feel we can do it in-house and we think we can have a written report back to you within a week which will outline the type of format that we will use in the approach including the logging items that will be needed to determine what safety procedures we'll be checking and logging. So we think we can do it in-house we will get back to you on that.

Mr. Cohen:

As you know, I have not been happy at all with how long it has been taking to get this done. At the same time I do not blame this administration for it. You came in four months after the Playground Safety Ordinance was passed.

My position is that it doesn't matter to me who does this study as long as there are certain principles that are complied with and if I can lay out those principles from my point of view. One is that there is a qualified trainer. Somebody who is expert in playground safety who can train whoever is going to be doing this hazard and audit analysis. The consultants that had been proposed in the past has a gentleman named Monte Christensen in there and he is somebody on that caliber who is really an expert in this area.

Secondly, just that when it's done it's complied with the law that says that it has to be done in accordance with this booklet here. We have talked about this Mr. Kraszewski a lot but just for other people who are watching it's called "Evaluating And Improving Playground Safety" -- a playground inventory and assessment system that's done by really the two people that helped me draft the legislation.

Third, is that it be done not on a part-time basis. I like the idea of city workers doing this because as Mr. Sirabella said for the future we're going to have to make sure that these pieces of equipment continue to be inspected and that city employees have the ability to do that but for the first hazard analysis I don't think it should be done on a part-time basis as something that's placed on top of their other duties because you and I know that would not work.

Lastly, that it be in a timely fashion. If those principles are complied with then I would be happy to have city employees do this. We would save money by doing it and have the

added benefit of having those city employees be able to maintain and inspect pieces of equipment now and through the future. If you recall another audit has to be done every five years. Of course you would want to maintain all the pieces of equipment during that five-year period so the next audit is a much better one. But from my point of view that is a fine direction to move in as long as we comply with those principles.

Mr. Ricciardi:

I have a question and maybe it's directed towards Mr. Cohen concerning city employees reviewing the equipment. Obviously city employees can look at the equipment itself and to see if it's well maintained or see in any way if something needs to be replaced such as a bolt. But Mr. Cohen, when you first explained this all to us and I believe you had a post-agenda, we talked about other things. For example, there's a swing in the Southside where when people would jump off there's a wall. I mean, I thought there were other things that say how high something should be or how far away something should be so when a child jumps off. Do city employees have those skills and knowledge of knowing those types of information?

Mr. Cohen:

They don't now as I don't now. I know certain pieces of equipment that I know to be dangerous from talking to these experts but at the same time I think if we had somebody with the right -- and this is what I believe you are proposing -- if we had somebody with the right qualifications, we'd have to hire an outside expert but someone with the right qualifications to come in and train the city workers I do think they can be trained and after talking to Susan DeFrancesco who really co-wrote this book about this, she said absolutely and capable workers can be trained in this field so long as we have the right person training them.

Mr. Ricciardi:

So we are going to have someone with expertise however and having some sort of training classes for our workers.

Dir. Kraszewski:

We do have city workers on staff; one person in E and C and one person in Public Works that do know the standards and the codes. They would have to help train the other employees to understand this and know how to gauge it and log it. That's the process which we are starting. I don't know if we're going to need additional help with training; we may, but our first endeavor is to identify the resources and strengths we have in-house and go on from there. That might be a part of the request but it is not right now.

Mr. Ricciardi:

Do these two people that you just mentioned, do they have their training and expertise by just reading this material or do they have -- are they certified on this field or have they attended any type of seminars?

Dir. Kraszewski:

We're talking about a person in the Engineering Department that I can provide that background to you in a memo. A person that deals with these items every day and knows the codes by memory. The people in Public Works have already done some training on it although it was not successful which we talked about before. So there are several people with expertise but they will have to be trained without question to get the others on the team to understand what it is what they need to do.

Mr. Sirabella:

The reality of this thing is that we have city employees who have this background in their professional background that have these qualifications that possibly need to be strengthened. I would look at some sort of a training possibly through Community College. We have individuals that can probably lead the training and if we would need additional training I would ask Community College to put together a course for individuals and they will attend it and it would be done properly. Let's rely on the assets that we have which are two individuals that we found as part of their profession, have this standard of understanding of what the regulations are and it's simply not nuts and bolts. Nuts and bolts should be a daily routine check. It's the distances between swing sets, it's the walls, it's the ground, et cetera, so we have that and to spend this kind of money on this study which is going to be a planning study and all of the planners out there -- so to do that is not necessary, simply, and the future of it as we agree with Councilman Cohen and Councilman Darkins who's the Chairman of the Public Works Committee, that we need this element here to provide for future of our employees and it's part of Mayor Murphy's discussion that we have talked about in training our employees to help themselves do their job better and this is one way to do it and it was an instant analysis here in terms of spending this \$40,000.00. I'm glad it's taken five months for you to get to not approving anything because we would not have had a shot about this last month.

Mr. Smith:

Motion to table.

Mr. Ferlo:

Second the motion to table.

The Chair:

There's still discussion on the floor.

Mr. Smith:

The discussion was hold.

The Chair:

And it was seconded.

Mr. Smith:

It wasn't discussion on the bill, it was discussion on the hold.

The Chair:

We have permitted other Councilmembers to discuss. I don't mind letting other Councilmembers have their fair share for discussion since we've opened it up for discussion. Councilman Cusick.

Mr. Cusick:

Will they work with or contact community groups to identify their problems?

Dir. Kraszewski:

The in-house plan is being put together right now and that will be available for review before we start to make sure we meet all the components and criteria that Councilman Cohen and others have mentioned. The way we see it going, we were going to go out and use the standards and guidelines and merely survey it. It would not mean going to community groups.

Mr. Sirabella:

I don't intend this to be a long process.

Mr. Cusick:

I don't either but if there are concerns from the community group can they be forwarded to you as Director?

Dir. Kraszewski:

Absolutely and they may or may not be relevant to the guideline issues but we certainly would like to hear what the community's views are.

Mr. Cusick:

I think that the \$70.00 for a consultant for I believe Monte Christensen and the small amount of time that he's spending here for his expertise -- his people may be good at that too but I hope that they're concerned about the community's concerns.

Dir. Kraszewski:

Again, what we're talking about here today is an endeavor to do this project in-house with city resources and not to utilize outside resources.

Mr. Cohen:

Gentlemen, you're saying that you want to have a better plan that you can present to Council soon and that's what I'm hearing.

Dir. Kraszewski:

Correct.

Mr. Cohen:

You want to have a chance to develop a plan and bring it back to Council. What I would suggest Mr. Chairman since this is obviously a bill that we can talk about for the next hour is that we allow the Administration to do that. Come back to Council with a plan and either do that in a post-agenda format or at this table during the committee. I would like to ask if you would meet with myself and with Susan DeFrancesco who is from Pittsburgh and who's an expert in this area that can talk about this prior to that; is that all right?

Dir. Kraszewski:

That's fine with me.

Mr. Ferlo:

Is it the Administration's intent not to engage a consultant but to do whatever you're going to do not involving a consultant.

Mr. Sirabella:

Our intention is not to involve a consultant to do the type of scope. We may very well use a consultant in a far lesser monetary role for training but not necessarily this group.

Mr. Ferlo:

Okay.

Mr. Cohen:

If I can raise one other issue and that is the legislation also calls for another thing to be done within that six-month period. Rubberized safety surfacing is very expensive and one of our biggest problems with our playgrounds is that a few of them have rubberized safety surfaces.

Dir. Kraszewski:

About 50 of them have it and over 107 do not.

Mr. Cohen:

I do not mean that as a criticism. I realize it's expensive and it takes time to put rubberized safety surfacing in but what the legislation called for was also a position by the Administration and a study to look at other alternative forms of surfacing including; sand, wood chips, wood mulch et cetera. That also has to be done within six months and I think that it's very important for the City to do that because it's a lot cheaper and I think could be safer in the long run. I realize there are some challenges including the American with Disabilities Act but I'm sure that we can comply with the American with Disabilities Act by making sure that the walk and runways are not covered with this kind of surfacing but rather that under the slides and swings et cetera, we do have this. So just to remind to add that to add that to the study please.

Mr. Sirabella:

My understanding then in terms of the surfacing, you're talking six months and that is for us to determine -- the six months was when we passed the Playground Safety Ordinance for us to determine what kind of surfaces are needed, not actually to do the work.

Mr. Cohen:

That's correct. What's called for in the bill is that the Department of Public Works in consultation with the Department of Parks and Recreation and the Department of Engineering and Construction conduct a study calculating the feasibility and

cost effectiveness of installing loosefill surfacing. Not to do it but to have a study done so we can decide that issue on a policy basis.

Dir. Kraszewski:

As part of an action plan to be implemented.

Mr. Cohen:

Yes.

The Chair:

Call the question on the hold and how long is the hold?

Mr. Smith:

There is a motion and a second to table the bill.

The Chair:

Was there a second to table?

Mr. Ferlo:

I know it was seconded but the Administration is saying that they may still hire some type of a consultant so we might as well leave the bill active although clearly it will not be in this dollar amount.

Mr. Sirabella:

Clearly it could be in the arrangement.

Mr. Ferlo:

Let's hold it for whatever number of weeks and come back and resolve this.

Mr. Sirabella:

Why would you hold it?

Mr. Cohen:

How much time do you need?

Mr. Sirabella:

We need to hold for one week.

Mr. Cohen:

Motion to hold for one week.

Mr. O'Connor:

Do you need two weeks?

Mr. Smith:

-- on the table is my motion to table.

Mr. Hertzberg:

Why don't you withdraw it Chris? It will make it a lot easier here.

Mr. Ferlo:

I'll withdraw the second on the motion to table.

The Chair:

Thank you. He withdrew the second on the table which supersedes any other motion so now we have a motion to hold for two weeks.

Mr. Hertzberg:

Second.

Which motion prevailed.

The Chair:

All in favor of holding for two weeks? Opposed? The ayes have it.

Mr. Smith:

No.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 87, WEDNESDAY,
FEBRUARY 16, 1994)

Mr. Cohen:

This is the bill for a consultant on playground safety. I want to tell you that I met with a number of city workers including Director Ralph Kraszewski and Jeff Horan and Mike Gable from Public Works and Bruce Paydoff and Tom Olivo from the Engineering and Construction Department and also Ron Mayers from Reverend Darkins office was there too and that was last Thursday. We had a long meeting on that and what I'd like to do is have Director Kraszewski summarize what the Administration's plan is on playground safety.

Mr. Kraszewski:

What the Department of Public Works is putting together is a team of employees from the Department of Public Works, Parks Bureau and also working with the Department of Engineering and Construction -- two engineers are a part of that team -- and that will comprise our in-house effort to put together an analysis form to gather data collected in the field to then be put in a data base computerized -- as well with a pictorial computerized record of what's going on in the field, the layout of the particular playground sites. Our estimates right now show that within about three weeks we will be completed with the questionnaire form and be ready to undertake the in-field analysis with in-house forces. We feel that some support from professional services will be necessary and that support will be a lot less than this legislation originally intended. It certainly won't be anywhere near the \$40,000.00 scope. The help area we'd be in will be finalizing and approving of the form that we have to ensure that it is collecting all the necessary data and primarily it would be in the area of training. The employees from Public Works and Parks bureaus who will be actually doing the study, conducting the data collection in the field. Upon completion of this which would again start in mid-March, upon completion of the entire collection of data, we would be compiling a report which would be an analysis and conclusion and show recommended actions which would have budgetary impact as well as operational planning impact.

Mr. Cohen:

I have a few questions if I may. Let me take one step backwards and remind people that this was Council's bill on playground safety and that the first requirement really of the bill is to prepare an audit and hazard analysis of every play area and piece of play equipment in the City of Pittsburgh which I realize is no small task. There are 166 playgrounds and play areas in the City of Pittsburgh. The bill that is before us was really for a consultant to spend \$40,000.00 for a consultant to

do the work. The Administration proposed and I at least agreed that city workers can do the foot work on the audit and hazard analysis. I'm glad to hear you say that we do need a playground safety expert to be able to train our workers prior to them going out and doing the work. Do you have in mind yet who that playground safety expert would be?

Mr. Kraszewski:

We haven't singled it down to one individual. We are in contact with five or six different individuals as well as contacting playground services companies and the folks who have worked on preparing the standards to make sure we're doing a thorough search.

Mr. Cohen:

Let's talk about what the expert would do. My view that we discussed last Thursday is that the city workers would do all of the work and going out to the play areas and doing the audit, that we would though have an expert and to me I don't have anybody in particular in mind but I think there are three or four in this area who are particularly good. The expert would train the workers, would review the checklist prior to that checklist being finalized and also come in at the end of the process to help develop an action plan on the Comprehensive Playground Safety Program. Is that jibe with your thinking?

Mr. Kraszewski:

There would be four areas that would be of interest to us. One would be on the evaluation of the data collection form, as I said, to make sure that we have devised it properly and are doing what is required by ASTM standards. Two, to develop a rating system relative to the identifiable hazards. Three, to train the team to actually go out and do the work. We think this is a very important area. Four, to help in preparing the final report. This would help bring in an independent party and I think would add credibility to the report.

Mr. Sirabella:

I think we would agree to that but I'd like to move if we can in this process, is to let's decide on a person today. You've had experience with this whole program. Let's decide today, let's name a person at your recommendation. You name a person right now today and let's get it started and get these people looking at the form. We have the form, this is the form here that we have reviewed. Can we approve a name today? I'll put in a budget number that is one fourth of what the original budget number is and if we need additional authorization later for additional moneys, let's go with that.

Mr. Kraszewski:

We have several things going on.

Mr. Ricciardi:

Point of procedure. Obviously we don't have to name the vendor the person, we can pass generic legislation with a number and Mr. Cohen who's taken the lead on this can work with Deputy Mayor Sal Sirabella and come up with a vendor. That does not have to come before us today. But we can approve the legislation and a number move forward with Mr. Cohen's leadership.

Mr. Sirabella:

Would that allow us to then start tomorrow?

Mr. Cohen:

Yes. I'm glad that you're asking that because it means we're moving forward with the greatest possible speed and I would suggest that we move along the lines suggested by Mr. Ricciardi.

There have been three or four names suggested to me but I do think we should look at the resumes and make an informed decision on that and we can do that very quickly.

Mr. Sirabella:

We're going to allow that decision to be made by you. You make the decision, you tell us who and we'll go with it.

Mr. Cohen:

It's a deal. And I think that having the legislation be one fourth of what the initial legislation is fine.

Mr. Ferlo:

Second to your amendment.

The Chair:

All in favor on the amendment? Opposed? The amendment passes

Mr. Hertzberg:

I was trying to say, what was the amendment? I think we need to do a little bit more.

Mr. Cohen:

I have other questions if I can. If I could. Director Kraszewski, you said it would take about three weeks to complete the checklist?

Mr. Kraszewski:

Yes.

Mr. Cohen:

If I recall you are going to have a pilot project to use that checklist on at least two or three playgrounds.

Mr. Kraszewski:

To ensure it works.

Mr. Cohen:

Will that be done in the same time frame?

Mr. Kraszewski:

Yes.

Mr. Cohen:

Could you have somebody do a brief memo to Council after it's completed to let us know how it's going?

Mr. Kraszewski:

Sure.

Mr. Cohen:

The second part is the audit part, the actual going out and checking on the play areas and my understanding is that there will be two four-person teams going on and checking the play areas?

Mr. Kraszewski:

That's correct.

Mr. Cohen:

Why do we need four people?

Mr. Kraszewski:

The reason we're training four -- it's not essential to have four. We want to ensure that we have enough people trained to do this in the event that somebody would go to another job through else attrition and we want to train that many people. You can do this with six people but we want to do it as fast as possible.

Mr. Cohen:

You are going to hit two sites per team per day.

Mr. Kraszewski:

That is the projection but it's going to vary. Some sites are going to go a lot quicker, some are going to take that long, depending on the complexity of the site.

Mr. Cohen:

How long do you think the audit process will take?

Mr. Kraszewski:

It calculates out to very similar to what the consultant had originally predicted. They were saying about three months to collect the data and one month to compile it. The actual numbers are to be about two and one-half months but of course this is the contingent on weather conditions of actual working days.

Mr. Sirabella:

One of the things I want to add is that as we prepare the audit, we will be doing also repairs, not waiting for the whole report to come in. So as we are continuing to do the inspections, the ones we've inspected we're going to begin to do the work to get them corrected.

Mr. Cohen:

Ones where you find hazards.

Mr. Sirabella:

Exactly, it's an ongoing thing. So we will get together and wait for the project to come in and then we will make a decision. They will be repairing and inspecting done at the same time to move this process.

Mr. Cohen:

Probably the hardest part of this is the safety surfacing where that is a financial decision probably more than any other decision and I take it that will be as a result of the report and a decision made on how the money will be spent in the out years as opposed to doing that immediately.

Mr. Kraszewski:

Yes, that would be a long-range project.

Mr. Sirabella:

I foresee that when it gets into the capital budget and then probably in the future year be a line item in the capital budget with playground safety repairs and we will prioritize those areas that need the immediate attention on the capital budget items and work a plan out in the next year or the year after or even the immediate year to see if we need some corrections to the long-term programs. So it will stand in front of the capital budget process.

Mr. Cohen:

Okay. Once the information is taken from this audit it will all be compiled into a report; correct?

Mr. Kraszewski:

Yes, it will be data based as well. It will be compiled manually at first and we're designing a computer data base system in-house in Public Works and upon completion of that, that will take a month or so, we'll then put this manual information into a computerized data base and maintain it forever.

Mr. Cohen:

Who will prepare the written report?

Mr. Kraszewski:

The Department of Public Works. It will be under my jurisdiction and the people we're working with and the help of the professional.

Mr. Cohen:

And Sal, where do you see it going from there? Once this report is completed in the time frame that Mr. Kraszewski said then there has to be an action plan.

Mr. Sirabella:

I think there's two steps. As I said, as we're inspecting we should also be repairing. Once we go through the immediate problems then at that point then the long term problems, the major structural problems that aren't immediate safety hazards will be addressed in the capital budget process. In other words, we'll go with these requests, prioritize them, go to the capital budget process, see if there's any immediate moneys in the 1994 Capital Budget and if not we will put it through the 1995 process when we approve the budget at the end of the year and you will see the prioritization and we will give you every two months a report as to what we've done and what we have to do.

Mr. Cohen:

And you say once the report is actually prepared and before an actual plan sitting down with Council and with the expert and deciding on the future based on our finances.

Mr. Sirabella:

I think so. The idea of the consultant is to be as a trainer and a review of our plan. It's not necessarily an implementor but a trainer and a review of the plan and making sure that we take as much bureaucracy out of this thing as we can to get the job done and that will be our intention and the Mayor's intention to do that.

Mr. Cohen:

Okay. I think the plan makes sense. I'm glad that we're going to come up with an expert very quickly and I look forward to working with you on it and have the whole question of playground and playground equipment be decided on the base of safety and not on the basis of any other factors. I appreciate your cooperation.

Mr. Sirabella:

Thank you.

Mr. Hertzberg:

Mr. Cohen, we might consider a further amendment because I think the way this currently sits it's for a consultant to review and assess the play areas and I think we have a new scope for our consultant involving the training of our personnel and the review of the paperwork that we're going to be using.

Mr. Cohen:

I agree with Councilman Hertzberg and I think the language should be changed to reflect that.

The Chair:

You want to state it and we'll have a motion and a second.

Mr. Cohen:

It's \$10,000.00 for a consultant to review the checklist, train the workers and help prepare an action plan for playground safety.

The Chair:

Do we have a second?

Mr. Smith:

Second.

The Chair:

All in favor? Opposed? The ayes have it. On the bill?
All in favor? Opposed? The ayes have it.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

(BEGINNING - MR. CUSICK'S COMMENTS ON BILL NO. 136, WEDNESDAY,
FEBURARY 16, 1994)

Mr. Cusick:

I'd like to say in the several weeks -- the short time I have been on Council, I have witnessed firsthand and I think there is a lot of -- my colleagues are also aggravated in the way that contracts have been dealt with in the past. I think this bill does not tie the directors or the Administration's hand but allows us to have fair warning before something comes up before this Council and I would ask that this Council approve this bill.

Mr. Smith:

Have we gotten an opinion from the Law Department?

Mr. Cusick:

No, we didn't. We are asking for notification before they enter into emergency or maintenance contracts. Again, they're not coming to us for approval or disapproval but just allowing us to know what's going on.

The Chair:

Councilman Smith, you would like a legal opinion by Tuesday.

Mr. Smith:

That's fine. I just wanted to know if we had sought one.

Mr. Cusick:

I really don't think the Administration has any problems with it.

Mr. Smith:

Okay.

Mr. Ferlo:

Point of clarification. The way this bill is written, we are presuming -- we're talking about all emergency contracts. Not necessarily those that come out of General Services but whatever user department.

Mr. Cusick:

Yes. If you saw the bill last week you would have noticed that it did include all other departments.

Mr. Ferlo:

Very good.

Mr. Hertzberg:

We didn't request an opinion from the Solicitor on this previously.

The Chair:

No.

Mr. Cohen:

I want to commend Mr. Cusick for this bill, I think it's a good bill and I think that we saw a couple weeks ago how under the prior administration an emergency contract was done without notifying Council and it wasn't bid properly and this will prevent that type of thing from being done in the future.

The Chair:

All in favor? Opposed? The ayes have it.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

March 1, 1994

No. 9

Municipal Record

ONE HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO President
LINDA M. JOHNSON-WASLER ... City Clerk

Pittsburgh, PA
March 1, 1994

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo, Pres.

ABSENT:

Mr. Darkins

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

The Chair:

Tamara Mayers is a 9 year old student at East Hills School. She will lead us in the Pledge of Allegiance.

Tamara Mayers:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Thank you, Tamara, thank you very much. We have a little flag set for you from Pittsburgh City Council. Also, Tamara is the daughter of Ronnie who needs no introduction. Ron works for Councilman Duane Darkins.

At this time we have a few proclamations, and we are very honored to have some special guests in the audience. One who is no stranger to City Hall, we're going to get to him shortly. First we have one to be read into the record, I would ask Councilman Hertzberg on behalf of Mr. Darkins to submit one of the bills.

PRESENTATIONS

Councilman Hertzberg for Councilman Darkins Presents

NO. 241 WHEREAS, on February 24, 1994, the Sickie Cell Society, Inc., Murray-Irvis Genetic Disease Center will celebrate its Fourth Annual Recognition Dinner; and,

WHEREAS, the Sickie Cell Society, Inc. was created in 1964 when a small group of parents met to discuss the availability of proper care for their children who were suffering from the disease; and,

WHEREAS, since that day the Sickie Cell Society, Inc. has grown from a storefront facility to the multi-million dollar Murray-Irvis Genetic Disease Center located in the Homewood-Brushton section of the City of Pittsburgh; and,

WHEREAS, one out of every four hundred (400) African-Americans carry the sickle cell gene and one out of every eight African-Americans carry the trait; and,

WHEREAS, the comprehensive community-based research and medical treatment center is the first of its kind in the United States using a holistic approach in providing care to its clients; and,

WHEREAS, Sickie Cell Society, Inc.'s dedicated Board of Directors, Executive Director, Medical Staff and Support Team are devoted to constantly providing and making available the very best care for their clients.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh is mindful that the Sickie Cell, Inc.'s objective is to preserve and save the lives of those suffering from a genetic disease that is a major threat to the African-American community.

The resolution was approved and seconded.

Which motion prevailed.

The Chair:

At this time I will call on Councilman Smith, who I'm sure is going to be reappearing in the audience shortly. I would ask his guest to come forward. We have Mr. Robin, immediate past president of the Board of the Redevelopment Authority, and I think he has family members and other guests from the URA. You are welcome to come forward if you like. Mr. Robins first time in these chambers he told me was 1936. I said was that before or after the flood and he assured me it was after. Director Birru, we'd like you to come forward also, the Director of the Urban Redevelopment Authority.

Councilman Smith:

Well I'm very proud, because this is very auspicious for an individual who has given probably 50 years of service to the City of Pittsburgh, so I'm very proud to have known you.

Councilman Smith presented:

NO. 242 WHEREAS, John P. Robin has served as one of the foremost leaders of Pittsburgh's development in a public service career spanning more than one-half century; and

WHEREAS, he served as Executive Secretary to the late Mayor David L. Lawrence and helped develop the City's public-private partnership as well as the legislation that led to the formation of the Urban Redevelopment Authority of Pittsburgh; and

WHEREAS, he served as founding Executive Director of the Urban

Redevelopment Authority from 1948 to 1954, and as its Chairman from 1977 to 1994; and

WHEREAS, his boldness, vision and leadership were instrumental in the success of Pittsburgh's Renaissance, including the development of Point State Park, Gateway Center, Allegheny Center, the Civic Arena and many other vital projects; and

WHEREAS, his leadership of the Urban Redevelopment Authority and collaboration with the late Mayor Richard S. Caliguiri were pivotal to the success of Renaissance II, encompassing the development of 10 signature downtown buildings that contributes \$948 million in private investment and more than \$26 million in new annual local tax revenues; and

WHEREAS, under his guidance, the Urban Redevelopment Authority pioneered the issuance of housing revenue bonds, raising more than \$450 million for investment in the City's neighborhoods; and

WHEREAS, his most recent contribution with the Urban Redevelopment Authority include working with the administration of Mayor Sophie Masloff on such significant ongoing projects as Crawford Square Washington's Landing and the Pittsburgh Technology Center; and

WHEREAS, he also served the community in a variety of significant posts, including service as Pennsylvania Secretary of Commerce, Chairman of the Port Authority of Allegheny County and President of the Regional Industrial Development Corporation, among many other positions.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby express its most sincere congratulations and thanks to John P. Robin for his unparalleled service to the city, contributions that will endure for many years to come, and wishes him every success in his future endeavors.

The motion was approved and seconded.

Which motion prevailed.

Mr. Robins:

I think there is a generation gap here, for me to come to these council chambers is an old thing, but to see so many young people who have a great future before them is another wonderful thing. I have been lucky, very lucky, to have survived over these years and as Dean Acheson said once about our future, "we have survived and perhaps we'll flourish." I do feel that you're going to enter a new period of change in Pittsburgh, a beneficial change. I think with the recession ending, we do things largely in spurts, and I think the next spurt is about to come and many good things will happen in Pittsburgh during your tenure.

I simply want to say this--that it's not often recognized by many people, that we could have done none of these things which are greatly exaggerated in our proclamation, as far as I'm concerned. We could have done none of these things without the cooperation of City Council. As a matter of fact on the first Authority we had a member of City Council, not many people remember William Elvis Stewart, who became a Federal

Judge and died untimely. But Dave Lawrence set a precedent at that time that a Member of Council should serve on the Board of the Authority. And for the most part that has happened and recently we have had very good members such as the late Jake Milliones, who was a wonderful member of our board and Mark Pollock who was an imaginative and able member of our board.

The other thing I think is true and I hope, in my years with the Authority as the Executive Director in the old days, and as Chairman in these recent days, 1977, that's a long time ago now. Nothing that the Redevelopment Authority has proposed has been in jeopardy or faced serious opposition in City Council. City Council has been a wonderful partner, and while its normal for the Chief Executive such as the Mayor, Governor or the President to get most of the credit for the good things that happen. We forget what the Legislators do and none of what we have been able to do in Pittsburgh could have been done without the help and cooperation of City Council.

I want to thank you today. I'll try to come in once and awhile just to reminisce, but for the first time in my life I'm unemployed and my unemployment compensation is very limited, because they didn't pay me as the Chairman. At any rate fortunately the Ford Foundation of the University of Pittsburgh built up an annuity for me on which I can survive reasonably comfortably, and I do hope that I have some years ahead. I won't become a City crank; I'm going to come in and if I can be helpful... I want to thank all of you very much.

I also want to say something to my friends from the Authority who are back there. They have been a wonderful staff and no board can function without a competent staff, I think that our Authority has been an outstanding one over these many years. We've spent literary I think billions of dollars, we've never been touched with scandal and we have always been able to produce what we were ask to produce, and that's a great achievement. Finally, we could have done none of this without the cooperation of City Council. To my successor I hope he has the same good luck. Thank you very very much.

Mr. Smith:

I just want to say quickly that we will be calling on you, because you are the wealth of information and networking that we as young people need to learn from. So we will definitely be dialing your phone number.

Mr. Cohen:

Before you leave Jack, first of all I would like to commend Councilman Smith for bringing this resolution before us today. I think it's very rare that a person of such talent and vision steps into public service, and the City of Pittsburgh is the beneficiary of it. I won't keep throwing more tributes on because I know you don't like them, but just let me say you really are a legend in Pittsburgh, and that legend will not end it will continue, even though you are stepping down as the Chair of the URA.

We still need your vision of

the future of Pittsburgh, and I just want to congratulate you, not only have you done so much for the City, but your self deprecating humor and your humility really just adds to the appeal. Before you came up today, you said you hadn't had a fight with a councilman since 1945, and that in itself is a terrific achievement and I want to know how you did it.

The Chair:

Again I think a lot of us have taken for granted the Renaissance I and II. Behind all those activities and behind the movers and shakers over the decades certainly there was the thinker and the planner and the doer, and that happened to be Jack Robins. So were very pleased at the recognition he is afforded here today.

Mr. Cohen presented:

No. 243 Resolution providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof.

Which was read and referred to the Committee on Public Safety.

Mr. Cusick presented:

No.244 Resolution providing for the issuance of a warrant in favor of Michael Facchiano Contracting, Inc. in the amount of \$24,851.50 in partial payment of an Emergency Contract for the Construction of a Retaining Wall on Steuben Street; and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Finance.

Mr. Hertzberg presented:

No.245 An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would amend Section 707 of the Home Rule Charter - Multiple Employment Prohibited.---(SPONSORED BY MR. HERTZBERG)

Mr. Hertzberg moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion

Which was read and referred to the Committee on Finance.

Mr.O'Connor presented:

No.246 Resolution authorizing the Mayor, the Director of the Department of Finance, and the Director of the Department of General Services, on behalf of the City of Pittsburgh, to execute and amendment to a supplemental agreement providing for the lease to the County of Allegheny of the Sixth (6th) Floor of the City-County Building.

Which was read and referred to the Committee on General Services.

Mr. Onorato presented:

No.247 Resolution providing for the issuance of a warrant in the sum of \$7,000 to Clarence

Lavelle, Jr., c/o Peter King, Esquire, King & King, Twenty Chatham Square, Pittsburgh, PA 15219 in full and final settlement of alleged personal injuries regarding an accident on Platt Street Steps, on or about September 24, 1991.

Also,

No.248 Resolution providing for the issuance of a warrant in the sum of \$1,860.09 to Coletta A. Smith, Melvin J. Smith and Kimberly E. (Melensky) Smith, c/o James P. Coletta, Esquire, 1910 Cochran Road, Manor Oak II, Suite 240, Pittsburgh, PA 15220, in full and final settlement of the action filed at GD87-11187 alleging personal injury and property damage sustained due to an automobile accident on or about June 28, 1985.

Also,

No.249 Resolution providing for the conveyance by the City of Pittsburgh of certain property under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No.250 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No.251 Resolution providing for the filing of a petition or petitions for the sale of certain

property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Smith presented:

No.252 Resolution providing for an Agreement or Agreements with Agencies that operate Emergency Shelters for the homeless in the City of Pittsburgh, so as to provide for the payment of rehabilitation, maintenance, operation, insurance, utilities, furnishing and essential services of said Agencies, at a total cost not to exceed \$615,000.00.

Which was read and referred to the Committee on Planning, Housing & Development.

Mr. Smith seconded the motion.

The Chair presented:

No.253 Resolution authorizing and directing the City Controller to create a special trust fund to be designated as the FOOD PANTRY TRUST FUND, for the deposit of contributions received from the Pgh. Earned Income Tax Form 40 "Check-off" Box, and authorizing the distribution of these funds to the hungry through Department of City Planning.---(SPONSORED BY MR. FERLO)

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was

introduced so the bill will be on the agenda this Wednesday.

Mr. Cusick seconded the motion.

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Onorato presented:

Bill No. 254

Report of the Committee of Finance for February 23, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 177

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Stadium Authority in the amount of \$1,320,000.00 for Various Capital Improvements; and providing for the payment thereof."

Which was read.

Also,

Bill No. 178

A Resolution entitled, "Resolution providing for the transferring of the amount of Two Hundred Twenty Thousand (\$220,000) Dollars from Code Account 45, Health Insurance-Municipal Employees, Index Code 004507, Department of Finance, Bureau of Compensation to Code Account 1612-4, Salt, Index

Code 161240, Department of Public Works, Bureau of Operations."

Which was read.

Also,

Bill No. 188

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$6,000 to Laurita Nelson C/O Michael Kaleugher, Esquire, 1020 Frick Building, Pittsburgh, PA 15219 in full and final settlement of an alleged accident involving a City Street Cleaner and the vehicle owned by Ms. Karen Vaughn in which Ms. Nelson was a passenger at the intersection of Black Street and Negley Avenue in the City of Pittsburgh on or about May 5, 1989."

Which was read.

Also,

Bill No. 189

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$3,500 to Maxine Thomas C/O Michael Kaleugher, Esquire, 1020 Frick Building, Pittsburgh, PA 15219 in full and final settlement of an alleged accident involving a City Street Cleaner and the vehicle owned by Ms. Karen Vaughn in which Ms. Thomas was a passenger at the intersection of Black Street and Negley Avenue in the City of Pittsburgh on or about May 5, 1989."

Which was read.

Also,

Bill No. 190

A Resolution entitled, "Resolution providing for the issuance of a \$884.35 warrant in favor of Kathleen Hedding and Norma Seid in settlement of claim for property damage, chargeable to and payable from Code Account 46, Judgments."

Which was read.

Also,

Bill No. 191

A Resolution entitled, "Resolution providing for the issuance of \$900.00 warrant in favor of Gregory A. Schwartz in settlement of claim for sidewalk damage, chargeable to and payable from Code Account No. 46, Judgments."

Which was read.

Also,

Bill No. 192

A Resolution entitled, "Resolution providing for the issuance of a \$10,000.00 warrant in favor of Bell of Pennsylvania in settlement of claim for property damage, chargeable to and payable from Code Account 46, Judgments."

Which was read.

Also,

Bill No. 195

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1455 effective January 1, 1994, entitled "Adopting and approving the 1994 Capital Budget and 1994 Community Development Block Grant Program,

and approving the 1994 through 1999 Capital Improvement Program," by making certain corrections."

Which was read.

Also,

Bill No. 197

A Resolution entitled, "Resolution providing for the acceptance by the City of Pittsburgh from the Western Pennsylvania Conservancy of certain property in the 31st Ward of the City of Pittsburgh, for public greenway purposes at no cost to the City of Pittsburgh.

Which was read.

The Chair:

Is there any discussion on the bills?

Mr. O'Connor:

On the Greenway bill we'll be voting on, this is the newest addition and will be the first since July of 1985, it's 28 acres located in the 31st. Ward and I would like to thank the Mayor's Real Estate Division whose been working this for almost 2 years, the Murphy administration put it through very quickly. We had a contest in Mifflin School to name the Greenway, the winner was the Green Hideout and Nicole Wright of West Mifflin School was the winner, I want to thank her and the 31st Ward citizens for all their hard work

Any other discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeable to law, and were:

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Hertzberg for Mr. Darkins presented:

Bill No. 255

Report of the Committee on Public Works for February 23, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 180

A Resolution entitled, "Resolution granting unto Robert Mistick with an address at 1300 Brighton Road, Pittsburgh, Pennsylvania 15233, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a total of 40 trees in a portion of the sidewalk area along Western Avenue, Brighton Road, North Lincoln Avenue and Rope Way in the 22nd Ward, 6th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 181

A Resolution entitled, "Resolution granting unto SMS Engineering, Inc., 100 Sandusky Street, Pittsburgh, Pennsylvania, 15212, their successors and assigns, the privilege and license to construct, maintain and use a their own cost and expense, a roof cornice to extend over a portion of the right-of-way on Sandusky Street in the 22nd Ward, 6th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 182

A Resolution entitled, "Resolution Mellon Bank, 1401 East Carson St., Pittsburgh, Pennsylvania 15203, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a concrete handicap ramp on a portion of the sidewalk area fronting on 1401 East Carson Street in the 17th Ward, 3rd Council District of the City of Pittsburgh."

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeable to law, and were:

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Smith presented

Bill No. 256

Report of the Committee on Planning, Housing and Development for February 23, 1994. transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 198

A Resolution entitled, "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1994 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and

providing for the payment of expenses within categories."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Connor presented:

Bill No. 257

Report of the Committee on General Services for February 23, 1994. transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 185

A Resolution entitled, "Resolution providing for the letting of a

contract or contract, or the use of existing contract or contracts, for various repair said renovations to City facilities, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 186

A Resolution entitled, "Resolution providing for the letting of a contract or contracts, or the use of existing contract or contracts, for the furnishing and delivery of motorized fire equipment and for the refurbishing of existing motorized fire equipment for the Department of General Services, and providing for the payment thereof."

Which was read.

Also,

Bill No. 187

A Resolution entitled, "Resolution providing for the letting of a contract or contracts, or the use of existing contract or contracts, for the furnishing and/or installing energy conservation equipment for the Department of General Services, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented:

Bill No. 258

Report of the Committee on Water for February 23, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 200

A Resolution entitled, "Resolution authorizing and directing the Finance Director to examine the feasibility of a "direct pay" voluntary payment system which would allow elderly residents and others to have their Alcosan and Water and Sewer Authority quarterly bills deducted from their checking or savings account and paid directly to the billing authority."

Which was read.

The Chair:

Is there any discussion on the bill?

The Chair:

I would like my comments brought forward on legislation.

(COMMENTS AT END OF TRANSCRIPT)

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES:

- Mr. Cohen
- Mr. Cusick
- Mr. Hertzberg
- Mr. O'Connor
- Mr. Onorato
- Mr. Ricciardi
- Mr. Smith
- Mr. Ferlo, President

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passes finally.

Mr. Hertzberg presented:

Bill No. 259

Report on the Committee on Parks and Recreation for February 23, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 183

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Sports and Festival Federation. The Total cost shall not exceed \$150,000.00 and shall be chargeable to and payable from Code Account 1838, Index Code 183806, Miscellaneous Services in the Department of Parks and Recreation.

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES:

- Mr. Cohen
- Mr. Cusick
- Mr. Hertzberg
- Mr. O'Connor
- Mr. Onorato
- Mr. Ricciardi
- Mr. Smith
- Mr. Ferlo, President

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills pass finally.

The Chair presented:

Bill No. 260

A Resolution entitled, "Appointing John Curlovich, 270 Emerson Street, Apartment 2, Pittsburgh, PA 15206 as a District 2 Member of

the Pittsburgh Cable Communications Advisory Committee for a term to expire 12/31/95."

The Chair:

This is an individual who is being forwarded by Mr. Cohen, he spoke eloquently at the Public Hearing the other day, he does have a consumer interest in PCI affairs. We thought he would be a good addition to the Cable Communications Advisory Committee, I believe he's in the 7th Ward and resides in District 2 of the Cable Advisory Committee. So we'd like to have him appointed so he can begin to serve on the Board.

All in favor of the motion? Those opposed?

The motion was seconded and approved.

The Chair:

There is one other appointment made by Mr. Cohen, I want to share it with the members of council and we can consider it next week. We do need a clarification on the issue of conflict on interest, I was confused by the resume about his involvement, if any, with cable Companies. If Mr. Cohen could please clarify that we could move quickly on it next week, or even do an interim approval during this week.

Mr. Cohen:

I would be happy to Mr. President, but it's not my appointment, it was a suggestion to me by the Chair of the Cable Advisory Committee. I'm not familiar with the persons background, but I'll be happy to examine that with you.

The Chair:

We just need a clarification, we have one other at large position open, I am asking any of you if you come up with an additional name, be mindful of the code as it relates to any conflicts. Going back to Mr. Onorato's earlier appointment Mr. Beatty who I was very impressed with, there was a conflict there but I'm wondering if since the break-up of the TCI Bell Atlantic merger, if there is any reconsideration on that matter. If you could clarify that with the Solicitor, I would appreciate it.

Mr. Onorato:

I will Mr. President, if there is no conflict and there is an opening, I will submit his name again.

Also,

Bill No. 261

A Resolution entitled, "WHEREAS, the Eastside Alliance is an independent, not-for-profit community organization which promotes neighborhood stabilization and revitalization throughout the neighborhoods of Bloomfield, Friendship, Garfield, Lawrenceville, and Polish Hill; and

WHEREAS, the Eastside Alliance has been incorporated in the Commonwealth of Pennsylvania since 1986, and has been granted exemption from Federal Income Tax under Section 501(c)(3) of the Internal Revenue Code; and

WHEREAS, the Eastside Alliance desires to operate certain small games of chance and/or conduct

raffles to generate funds to finance its operations and further its purpose;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Pittsburgh hereby recognize and declare the Eastside Alliance to be a Civic and/or Service organization within the context of the Pennsylvania Small Games of Chance Act, as amended,
--(SPONSORED BY MR. FERLO)

The Chair:

You've heard the reading of the Bill, I need a motion to approve.

The motion was seconded and approved.

MOTIONS AND RESOLUTIONS

Mr. Onorato:

Mr. President last week it was in the media and a lot of discussion was covered about this gang summit that's scheduled for the City of Pittsburgh. I want to make a motion today, that this Council send a letter to the Mayor asking the Mayor to send a very polite letter, saying thanks but no thanks.

I do not think this is an appropriate forum, I don't think it should be in the City of Pittsburgh. If anything, what we should be having in the City of Pittsburgh if we were going to have a summit, lets bring in the block watches, the tenant council, the neighborhood groups and the individuals that are fighting everyday in certain neighborhoods and areas where the gang activity is.

I don't think this is the right signal to be sent, and I don't think we should legitimize any gang activity, as far as I am concerned this would do it.

This reminds me of about a year ago, you might recall, there was actually a meeting held in Pittsburgh out in one of the neighborhoods, where they were interviewing gang members at a table with their faces covered. I thought that was wrong, if your going to be interviewed and talk and your afraid to show your face, then you shouldn't be put across the 6 o'clock news. It legitimized the activity going on, I don't think the City needs that type of image. I'm making a motion right now that we have the Mayor send a letter to the appropriate group asking that this summit not be held here.

The Chair:

Motion has been made, is there a second for purposes of discussion.

Mr. O'Connor seconded the motion.

Mr. O'Connor:

I strongly support Mr. Onorato, I think our young people need roll models, and this is certainly not the direction to take. The media attention it will bring is not what we want, I strongly support his ideas. Next will be having, or they will be asking for a parade permit to go down Fifth Avenue, and probably parade down in stolen cars and we'll all be watching. So I don't think they should do it.

The Chair:

I respect the motion that is being made, but I strongly disagree. From what I understand of the gathering I would hope that all Councilman will take the time to review all the information that was provided from the Thomas Merton Center and from the Peace and Justice Coalition group.

Obviously I don't think we should welcome this group with open arms, nor should we in any way condone any illegal activity of the part of any gang or gang related member or individual or groups of individuals. I think clearly were talking about the urban area of Pittsburgh or Philadelphia or a lot of other urban areas around Pennsylvania and around the Country.

It's quite obvious that we have a problem. I believe strongly and I respectfully disagree, although I certainly appreciate the intent and purpose of the motion being made. We can run from a problem but we can't hide from the problem. We have a problem in the City of Pittsburgh.

I think one of the areas that this Council has to consider is more creative ways to deal with the gang problem. Not so much the individuals that I have spoken about in the past in these chambers, that I think should be prosecuted by Grand Jury, that should be the focal point of the U.S. Attorney's Office, that should have been brought up on indictments relative to the Ricco Statue. Those organized elements that are under the guise of a gang, that we know are nothing more than drug thugs, and are participating in very clear illegal activities.

I think however, we have to be more akin to this and I think we have to start debating about it. We have a lot of young people and we have a problem with our young people. Mr. Onorato himself as well as others have talked about the problems of our young people in the City of Pittsburgh, we talked about a carrot and stick approach. We talked about on one hand having a disciplined environment such as boot camps, we talked about other kinds of juvenile law changes that need to be made involving young people and the use of a gun.

We talked about all the activities involving the inadequacies of the criminal justice system. We also talked about the caring, that we need to be more creative in offering programs, job opportunities, treatment for those young people who are involved in alcohol and drug problems, dependency problems and things of this sort. I support that.

I am not thrilled obviously with the fact that Pittsburgh is hosting what I understand to be a series of these meetings around the country, several of which have already taken place in Chicago and out West. I just respectfully disagree with the motion because I think we have a lot of young people that are not in this category of being a hardened part of the drug trade. You can call them the gang wanna-bees or the people that have drifted towards this element.

I don't think because we try to deal with more creative ways to deal with conflict resolution, try to mediate the problems, try to discourage involvement with these

so called gangs. I don't think by allowing this forum and being a part of this discussion that we are necessary saying it's all right to engage in this activity. I think it's just something that's happening, I think we have to be cognizant of it.

I would rather see people looking at each other across the table and speaking and dealing with the problems, including our own law enforcement officials and other advocates locally, who I hope will be a part of this summit meeting. But I would rather see that kind of an activity then people out in the community with their 9 millimeter's and drive by activities. So, again I respectfully disagree, strongly disagree with the motion, I will be voting no.

Mr. Smith:

I can not be in support because I feel that for us to pretend that we do not have gangs or a gang problem does not go with the murder rate that we presently have. We must be honest with ourselves first, before we can ever convince anyone else to be a part of the greater good of government and society. We need the opportunity and we need to afford to young people the expression that we are interested, that we want to address their problems. It is in no way to encourage any kind of illegal activities, but to address the social issues that gangs seem to be fulfilling in many of our communities.

We must reach out, we must be positive, we must give them the opportunity to participate in our

system. I think that we need to be careful as we view how people, what we perceive they are, and that we need to afford the opportunity in a constructive manner to dialogue, exchange, and find out what the problem is.

I actually have gone to several gangs, or that consider themselves gangs, in my District. and some of the simplest things that they wanted in meeting with me, was a place to have recreation. They have since volunteered their time to work with younger kids in constructive recreation. Had I had the attitude or had their been a ban of meeting with them, I would not have been able to do something simple as giving a community a recreation center and an opportunity for them to reach into the community and actually do some public service.

I think that it is extremely important that we don't send the hard line, negative, but that we say that we are willing to learn from you, share with you what's available, and do something positive together. I cannot support a negative letter or any attempt to bring the young people into the fold of this great nation.

Mr. Hertzberg:

I will be opposing this motion as well, I fully support your remarks, and my personal view on gangs is that it's not something terribly new in Pittsburgh. It's not something terribly new anywhere, the big change as I see it is the firearms that we are seeing young people carrying and using. Another big change is the glamour that is being attached to it.

Now is that the fault of the people who want to come here and have a meeting and try to help the problem. I don't think that's their fault. I mean, glamorizing these activities may sell newspapers and may sell TV time, and that may be why we're seeing it. But that's what's new, and I don't want to blame the people that want to try to help us resolve the problem. At the same time I don't want to legitimize any gang activity by voting against this motion, that's not my attention, I think we should try to do everything we can about the problems of young people and I don't see a problem with the conference as long as it's not looked upon, and I don't look upon it, as legitimizing gangs or their activities.

Mr. Cohen:

With all due respect to the initiator of this motion, I also will be voting no, I believe that this new Council has been very tough on crime. We have added 243 police officers last year, because of Mr. Onorato's resolution we voted for boot camps, we've had resolutions on tougher sentencing,

I proposed a resolution just 2 weeks ago to deny bail to people who are considered dangerous even before they are met with formal charges. I think we have done everything we can to be tough on crime, but with the stick has to go a carrot, and that means that we have to be able to, at the same time, try to provide some hope to the people in our inner-city communities that have not yet become hardened criminals, who could go either way. Were going to make sure that they go in the positive direction.

I think from what I know and I have to tell you, I do not have a lot of information on this gang summit, I wish I would have been given some information prior to this motion coming up, but from what I know about it, I understand that it's lead by people who have renounced gang activity, and are trying to discourage gang activity, that's my understanding. If so I think that this could actually lead to a decrease in crime, and as Public Safety Chair anything that can lead to a decrease in crime and fewer people actually joining criminal gangs the better, and for that reason I can't support the motion.

Mr. Ricciardi:

First of all I would like to ask my colleagues to keep the motion in perspective, the motion that Mr. Onorato made was not to ask our young people who belong to any type of loosely or unloose gang here in the City of Pittsburgh to come together and meet. The motion was that we reject the City of Pittsburgh being used as the Host City for gangs throughout this nation to come here and have a conference. I think that does a number of things that legitimizes the gang conference, it's something that should not be done.

I would bring to this back and make this very personal to myself. Being of Italian heritage, my God, I am very embarrassed that Italian's are involved in any type of organized crime, some people might call the Mafia. I would not accept the City of Pittsburgh being used as a conference for any type of illegal activity. Mr. Ferlo I am going to

pinpoint you, your throwing your eyes up in the air. How embarrassed I would be, being a person of Italian heritage, if someone said that the City of Pittsburgh was going to be used for families of Italian heritage who are involved in organized crime to come together.

Keep in mind that the Gang Peace Council is an unfounded quantity, I don't know enough about this group to give them the support to hold a gang conference here in the City.

They have already stated that one of their lead speakers is going to be Louis Farrakhan, in no way do I support his comments in the past or comments made by one of his supporters a few weeks ago. I wouldn't be pleased at all to support, or even give some unfounded or behind the back door support to the Gang Peace Council whose going to bring Louis Farrakham here in the City of Pittsburgh as a lead speaker.

I think we continue to reach out to young people, we reach out to them by having a solid education system. We reach out to them by spending tens of millions of dollars on our recreational department here in the City of Pittsburgh's Department of Parks and Recreation. And, we continue to reach out to them through our own meetings here in City Hall and through our Human Relations Commission.

The question is, do the tax payers in the City of Pittsburgh wish that we in any way show any type of support for a gang conference here in the City of Pittsburgh. I say the answer is no, I say we should let these

people know, hopefully the word will get out throughout the nation and they will not come to the City of Pittsburgh.

They are not welcome here, I do not welcome them, hopefully they will not be in the City of Pittsburgh, and hopefully they would not be spending anytime in my District, Council District 3. I don't want these gang members on Carson Street, I don't want them on Arlington St., I don't want them on Warrington St., I don't want them in my District, and I don't want them here in the City of Pittsburgh.

Mr. Onorato:

Well Mr. President once again you showed your skill and mastery of twisting my motions, and your one of the best. Let me get back to what my motion was and try to bring it back to reality, and rebut some of the things you mentioned after I spoke. You talked about running from the problem, I don't know where that came from, if anyone in this chamber recognized we have a problem I did.

I wanted the anti drug and loitering law, I was very tough on crime, at the same time Councilman O'Connor wants to open up Gladstone and start recreational and educational programs at night. I was the first one to support him along with this body unanimously. We also put into the budget to do one in each council district to open up our schools to provide opportunities.

So when someone comes to this table and wants to talk tough about gang activity, you and a few other people have a tendency to

say that we can't ignore it. To say that we have to provide more opportunities, well we all agree with that, I don't think there is one person here that disagrees with what you said. I agree 100% with what you said, it has nothing to do with my motion.

My motion has to do with the group that wants to bring a gang conference here, and if you would look at the gang conference that was held last year, it was embraced by the Mayor. I'm not one to squash free speech, anyone can say what they want. I'm all for free speech.

But, there is no reason why a City government has to embrace a conference, has to open up it's arms, and has to say we want to have this here. My motion was to have a letter sent to the Mayor asking him to just state that we do not want this gang conference here. I don't know if he can stop it legally, I was just saying that the City of Pittsburgh will not recognize it, and it's not wanted.

It's our view and my view that I want to submit to the Mayor. It has nothing to do with not providing opportunities to the youth of this town. Of course you want to do that, I have problems in my district, and I'm participating in those neighborhoods helping them. There is a lot of problems, everyone of our districts have them. This motion has nothing to do with the problems the City of Pittsburgh has.

We all know we have a gang problem here, no one is denying that or running from the problem. I don't even know why that came

up, this has to do with a gang conference, that as far as I am concerned legitimizes that activity. The only reason they are having a conference, and the only reason their in the paper here, is because you have drive by shootings, you have thugs out there, they are destroying our neighborhoods, and we're saying if we can't fight it lets bring them in and try to talk with them. No, I don't think we should operate that way, we should say we don't like what your doing, were going to fight you on this, and we are not going to sit down at the table and talk with you, we will not have open arms from this City to welcome you in here. I think it's wrong.

I stand by my motion, we have a second, were going to call this vote, and if it looses I'll do the letter myself to the Mayor, and get as many colleague as will sign it.

Because I am moving forward with this, I am not backing down, not backing down to the gang activity, and not backing down to any rhetoric that comes out of here. If you build support by saying I'm against opportunity for the kids, that's fine you can say that, but it's not true. I'll still fight for the opportunity for the kids in this City, at the same time I know there are a lot of good kids out there and a lot of groups that are fighting these problems everyday.

I don't see us open our arms for a convention for those types of individuals, and they are the block watches, tenant councils, the neighborhood groups, that's the kind of conference you should be having. But, what do we do,

because they don't go around shooting and get on the six o'clock news, they don't get the headlines and don't get the respect in the City they deserve. That's who we should be helping.

The Chair:

First and now let's clarify that your putting words in my mouth. I said nothing of the sort in terms of your comments categorizing my earlier comment refuting the initial motion.

My comments about the role of this Council including yourself over the last few years has been the issues that I've outlined, both in terms of increased activity at the police and criminal justice level, as well as the various social policy reforms that this council has supported. So lets be clear on that. It's not clear to me that city government in any way has acknowledged or formally expressed some interest or formal endorsement of this gang conference, unless your reading something or know something that I don't know.

Mr. Onorato:

I don't care what City participated in it, I just want to make sure our Mayor doesn't. That was why I made the resolution.

The Chair:

But there is a difference between condemning something and formally suggesting that city government somehow is embracing or supportive of it.

Mr. Onorato:

Well if the Mayor hosts it that's embracing it as far as I am concerned. The Mayor of Kansas City embraced this summit last year, I don't want our Mayor to do that, that's was my motion.

The Chair:

Lets just clarify, to my knowledge right now municipal government, at least in this council has in no way formally sent some communication or in no way formally endorsed or participated in this conference that happens to be taking place in the City of Pittsburgh. I just wanted to clarify that, unless you know something that I don't know.

Mr. Onorato:

No, I just want to make sure that doesn't happen.

The Chair:

Okay, and as far as Mr. Ricciardi's earlier comments, which completely threw me for the hoop and loop the issue of the Mafia or the organized crime or the syndicate. Organized crime meets everyday in the City of Pittsburgh, in restaurants, in board rooms and the like. So I'm not sure what that comment means.

But I don't want to get off into a tangent about that issue. The fact of the matter is and I would just again raise questions and opposition to the motion, I do think to some extent the motion says lets stick our head in the sand. I do think that's the intent of the motion, and I think we do need to wake up about the problem we are facing in this

City. Also, the gangs are not these monolithic gangs the fact of the matter is you have a hierarchy and you have different people participating in gang or gang related activity and it's not an all inclusive situation.

There are organized elements that are involved in everything from homicide to criminal activity, as it relates to the drug market and they are in the leadership not only locally but throughout the Country in these gangs. You also have a large number of young people that participate in varying levels of gang activities that are not in that category.

I think we need to speak to those people, I think we need to allow opportunities for those individuals to speak to themselves and I think we need to separate them out and deal with the problem realistically, to the extent that this conference may intend to do that.

Obviously this conference being so public and being organized by some of the progressive elements within the African-American Community in particular who are trying to come to grips with a problem in the peer group. The elements behind this conference, the individuals helping to organize this conference including those who are being supported by the church community are those that are trying to wrestle individuals from the control of the initial group that I spoke about.

I don't think we should formally endorse it, but I don't think we should reject it and give this traditional law and order

speech that I always hear. I don't think that's the issue. I would just ask that before you vote on it, and one of the reasons that I don't support the motion is we have had carnage on the streets of the City of Pittsburgh, and it's been carnage of primarily young people in the City, and it's been carnage of primarily African-American males.

As far as I am concerned if any opportunity can come out of this discussion, where young people in some of the districts I deal with, Garfield included, will sit down and talk to each other and not be out killing each other then I'm in favor of allowing that opportunity to exist. Not by giving it official recognition, nor by shunning our heads and turning away from the problem.

I ask before you vote on this, that you think about one issue. I would ask you to think about the individual mother out there who has lost a child who supposedly was a gang member. I would ask that you think about that, and look at the eyes of the next mother that's going to lose a young person in the city streets.

Mr. Onorato:

I resent you saying that, that's wrong, you can rule me out of order, that is ridiculous I'm sorry to even bring that up. I am thinking of that and that's why I put the motion on the floor.

The Chair:

I appreciate that, my only point is that if this in any way can allow young people to look at each other and talk about the problem, come to grips with the

problem, if it can save one young person from being shot, I think it's worth the discussion. I don't know who is invited to the conference, and in no way am I suggesting that the Mayor and this City Council in any way give official sanction to this group. The fact of the matter is, that it is happening in this City. I don't think we should run from it.

I applaud any effort at mediation, at conflict resolution, at young people, be they gang or wannabe gang members sitting down and talking to come to grips with the problem, as opposed to shooting it out on the streets.

Mr. Cusick:

Mr. President I have heard you say that this summit would denounce gangs. I've heard Mr. Onorato say it would glorify gangs. I think we need more information before any of us can vote on this. I would ask you to ask the administration to gather that information and bring it back and let us make an educated decision on how we should vote on this. I don't think that we need to be sitting here fighting amongst each other whether or not we've done enough for Public Safety. I am sure everyone of the Councilmembers feel very strongly about Public Safety, and if we could get that information. I'd like to make the motion that we hold this for one week.

The Chair:

We have a motion on the floor, I really would like to defer to Mr. Onorato on this point.

Mr. Onorato:

With all due respect Mr. Cusick, I appreciate that, I guess I have my mind made up at this point. I would like that information, I'm still going to ask for a vote today, but the information you asked for I would ask that we do get that, regardless how this goes today. It would be helpful for a lot of individuals here I think.

Mr. Cohen:

A Councilmember has asked that this be held and it was responded by saying, vote first, learn latter. I don't think that's the way to do it.

Mr. Onorato:

That's not what I said, I said I had my mind made up Mr. President.

Mr. Cohen:

I do agree with Mr. Cusick in the sense that I expressed my opinion based on what I know from the one article I can remember in the newspaper. I would like to know more about what this summit is, about who is sponsoring it, about what the message delivered there is.

I agree with Councilman Cusick that we have a split in this Council, and I think a split is based on misinformation. I don't think it's based on a difference in policy because some have said it glorifies gangs, that is not my impression at all. My understanding is that they actually renounce gang activity there, we need to find the answer.

The Chair:

I think Mr. Cohen's point is well taken, I am reacting to the one article I saw in the paper, I don't know if any other information has been provided to this Council or if Mr. Onorato has any additional information to share. We'll vote on the motion to hold, or we'll continue to discuss it.

I don't see this as a fight on Council, I think this is a healthy debate and dialogue on a policy issue that's important to everybody in this room. I think this is an important discussion that we are having.

Mr. O'Connor:

I think there is a lot of healthy discussion, I think the key boils down to, again if a group in Garfield or as Mr. Smith noted a group in his neighborhood he helped. I think our big question is, is it going to help or hurt, and we do need more information. I think Mr. Cusick has a good suggestion that we should study it, see who's coming in. I don't personally think outsiders should come in and have a conference like this, but before we vote I think we should know who they are and what the intent is and that way were not voting in a vacuum.

The Chair:

If Mr. Onorato does not object I'd like to suggest that we discuss the merits.

Mr. Onorato:

I'd like to suggest that I have a chance to respond, I have

been waiting here and now we're going to change it.

The Chair:

I'm going to call on you Mr. Onorato. I'd like to suggest that we specifically discuss the hold motion that is on the floor.

Mr. Onorato:

Not until I respond to the other comments first. Well once again Mr. President we go around again, and you successfully twisted it again. I will go right back to your comments, I hope I keep them straight. You compared Councilman Ricciardi's comments by saying that organized crime meets here daily in restaurants and at night.

Well gangs meet in the City daily too, that's not the issue here. Were not having an organized crime conference in the City of Pittsburgh, we are inviting everybody in and publicizing it and saying were meeting here. This is an organized summit that was scheduled in Pittsburgh, it wasn't a discussion do they meet in the City.

We're not putting our heads in the sand, we know we have a problem, I'm admitting it, we know we have a gang problem here. We have an organized crime problem here that's not sticking our head in the sand. This is about a summit that's being held in Pittsburgh, people are coming in from other cities. That's what this is about, not about sticking our heads in the sand.

You sit there and ask me to think about a mother who lost a

son or a daughter, of course I'm thinking about that. No where did I hear anyone talking about a cease fire, lets talk about what's going on out there. Maybe that would change the whole ball of bread if we had a cease fire going down at this point.

No one talks about that we have a shooting everyday in this city, therefore I think your comparing apple and oranges again. I think it's ridicules we have a lot of people out there fighting a good cause and we're not recognizing them like recognizing this group.

I will take Councilman Cusick's suggestion if you want to hold this for a week. But this will come up in seven days, next Tuesday again, and I don't care if I am the only one voting for it, it will come up again.

If anyone wants more information that's fine, and I'll do that, just out of respect for a colleague that wants more information, and I'll give him that respect for seven days. That's the only reason, it will come up again, I'm not backing down, and I would hope that the person who seconded my motion would back me up, just out of respect to Councilman Cusick. In no way is this a back down, it will come back up in 7 days, because as far as I am concerned I have enough information, this is glorifying the gangs, it's wrong, I don't want it here.

The Chair:

Fine I respect that, and no one is asking you to hold back on moving the motion either today or next week. We're having a

discussion on the impact of the motion that you presented.

Mr. Ricciardi:

I did second the motion and I will withdraw the second because the sponsor of the motion appears that out of courtesy to one of his colleague's that he would like to withdraw the motion. However, before I withdraw my second, I'm going to take advantage of having the floor for a minute or two Mr. President.

Again, I have enough information on this, I have the information from the news media, and the chairman of the Gang Peace Council, his own voice over the air waves stating that the lead speaker will be Louis Farrakhan. I remember before I came to this Pittsburgh City Council, I believe the year was 1988 or 89 and I listened very closely to Farrakhan's speech, his words when he was at the University of Pittsburgh.

This is a person of hate, this is a person that I will not, do not welcome in the City of Pittsburgh, and the Gang Peace Council believes that this is the person that they should have kick off this conference. Well I have a real problem, and I believe that this Council has ownership over this issue, and the reason for that ownership is that this Pittsburgh City Council has funded the Gang Peace Council through our Grants and Donations.

I respect the colleague on this body who came forward to fund that Gang Peace Council for \$5,000 to do good work here in the City of Pittsburgh. Once they accepted that \$5,000 grant, we now have

input into this organization. I am asking this organization not to sponsor a gang summit here in the City of Pittsburgh, because if they do, I will move to repeal that resolution granting them that grant. That's with all due respect to any member here who sponsored that.

Again we're losing track of the motion though colleague's, the motion was not for our young people here in the City of Pittsburgh to come together and talk as they do at YMCA. The motion from Mr. Onorato was that we personally do not welcome them here, that we personally do not welcome gang members throughout this nation in the City.

Sure because of the Constitution and Bill of Rights they have every right to come here to the City of Pittsburgh, but we could also pass a motion saying, you might be here but we don't welcome you, and I don't see the problem with that motion that Mr. Onorato has put forward.

Again, I think we have to separate our young people, and there are no wannabe gang members, once you have joined the Crypts, the Bloods and the Law, you have bought into what they believe in and you have bought into what they commit. Be it a drive by shooting or a drug sale, you've bought into that. Once you start wearing those colors as far as I'm concerned you bought into their activities.

That's what we're talking about here, we're not talking about young people or people at risk coming here to the City of Pittsburgh and looking to

communicate and looking for help. We're talking about people who have joined gangs that have murdered, that have killed.

Now because as I have done in the past, and this is not a reflection on Mr. Onorato. Before I've always brought up anything controversial before this board, I've stated my point of not asking for a vote, and because I do see there is some disagreement and this is such a good working council when it comes to issues, I will withdraw my second.

I'm disappointed Mr. Onorato has asked to withdraw the motion, I'll say that publicly to my friend and colleague Dan, very disappointed he's withdrawing the motion. However, I will withdraw the second Mr. President.

The Chair:

I respect that, but again I think the request for a hold was specifically only to receive some additional information that was not contained in the initial newspaper article which is what I think prompted this initial response from Mr. Onorato.

Mr. Hertzberg:

I would ask my colleague's Mr. Onorato and Mr. Ricciardi to please provide me with this information that you're referring to, because until you spoke today, that wasn't the information I was receiving. In fact my impression was that it would be similar to what's going on at the YMCA.

Your reference to the lead speaker has taken me totally by surprise Mr. Ricciardi, and it concerns me very much. I want

more information there's no doubt about it, and I might change my view dependent on the real truth of the matter. So I think that the need for more information is very clear.

Mr. Cusick:

Again, I'd like to just repeat what Mr. Hertzberg just said, and if you felt so strong, if certain councilmembers felt so strong, that they would have shared their information with us. I know when I feel as strong about an issue, before coming into Council, I will go and make sure I have the five votes and my colleagues have the information that they need to make an intelligent decision. At this time I would like to ask the Chair to move on the motion to hold for one week.

The Chair:

I want to get a word in to Mr. Ricciardi. I just want to clarify, as you know, you do have gang members in your Council District. If there is an opportunity through the course of this meeting for those individuals to be talking to each other I think that's more constructive than other kind of activities that have gone on.

Mr. Ricciardi.

I'd like to respond obviously since my name was mentioned. Again we're loosing track of the motion, the motion was that not our young people or even gangs in our city speak. The motion was to send a message to Gang Peace Council not to host a summit of gangs throughout this nation. I don't want people here from L.A. from Detroit, people here from

Miami, I don't want leaders of gangs coming to this city. Can you imagine what could happen here in the city, these gangs, you think they are just going to be walking in here, looking to sit down to talk.

Mr. Smith:

I think that we need to look at the total issue, the name that has been thrown around as their lead speaker. I do not agree with much of the philosophy that he espouses, but I do know that he is anti gang, anti killing, anti participation in this drug world. I know that his view points on those particular issues match mine.

We have forgotten that it's called Gang Peace Summit; it is not gang lets get better organized, gang lets get together and figure how to get more weapons, it's the Gang Peace Summit. If they are willing to work together, I would like to us to at least leave them alone until we can see what comes out of it, as opposed to being negative from the start.

The Chair:

There's a motion on the floor to hold for one week, and part of that hold motion is for additional information. I would ask Mr. Onorato as Chair of Public Safety that as part of that additional information we receive a report from Chief Buford as to what information he has relative to this.

Mr. Cohen:

Mr. President I will ask Chief Buford to supply us with any

information he has, I would also hope that Mr. Onorato and Mr. Ricciardi provide the rest of Council with information that they may have. Because there is information that's come before us today that I did not know before I spoke, and I would like to see if what has come out today is in fact true.

The Chair:

I would also ask pursuant to the hold motion that the City Clerk on my signature communicate to this group and specifically ask what the itinerary is, whose speaking, what the plans are, and what the scope of participation is in this conference.

Mr. Onorato:

This is I guess to my colleague Mr. Cusick too, but many times, as I'm sure he'll find out as he stays here longer, that a lot of motions come on this floor with no information given to any colleague. The reason I brought that motion up without giving any information to my colleague's was because everyone had the same information that I did. Just what you read in the paper, it's a personal thing. I feel very strongly about it.

I personally don't need any more information. If my colleague's do, that's why as a courtesy I agreed to hold it. So in no way did I try to come in here with information that I had, that anyone here didn't have.

The Chair:

Motion on the floor to hold one week for some additional information as requested.

All in favor of the motion?
Those opposed?

WHICH MOTION PREVAILED.

Mr. Cusick:

This is on TCI and the hiring of Brother Emenecker. As of last Friday, I issued a statement in regards to the hiring of the former cable Director Brother Richard Emenecker by TCI of Pittsburgh. Although I feel there is at least the appearance of impropriety I have been discouraged of filing a formal complaint with the City Ethics Commission by our City Solicitor. To say that Brother Emenecker had substantial participation with the Cable negotiations during the course of service with the City would be an understatement. Over his tenure in the Cable Bureau, Brother Emenecker single handedly developed the franchise agreement with Warner and TCI. As Director he gained an immense knowledge of the municipal communication industry, as well as the specific news of the City agreement.

I would like to reiterate that I have no ill feelings against Brother Emenecker, nor do I wish to question his integrity. The more important issue is that TCI a cable monopoly has gained an unfair advantage over the negotiation process with the City by hiring Brother Emenecker. I feel without question that this is a deterrent of the City cable subscribers.

I may be without legal standing but I am sure that I am morally correct by issuing his hiring as a Finance and Community Affairs Director by opposing his hiring by TCI. I will be watching

very closely over the next several months, whether or not Brother Emenecker has any involvement with our franchise agreement.

Mr. Hertzberg:

After we talked about some of the bad things going on in the City, I think my motion is very appropriate. It deals with the ideal of trying to market the City as a place to live, and to let people know about the benefits of living in the City of Pittsburgh. My wife and I did not grow up in the City of Pittsburgh, we grew up in Scott Township, but we chose to move to the City of Pittsburgh and we're quite happy here.

We feel that the cost of living in the City of Pittsburgh is quite reasonable, much more so that it would be if we were living where we grew up. I think the general public both within and without the City of Pittsburgh are under a number of misconceptions related to what it cost to live in the City of Pittsburgh and some of the other benefits.

Neighborfair Pittsburgh, Inc. is a non-profit organization that we help fund, that is charged with the duty of getting this type of information out to the public. I met with Director Mina Gerall, I met with Judy Kelly of the Mayor's Office and we spoke about this motion that I am now going to present. I circulated it to all members of Council, circulated it to the Mayor, to Neighborfair, to the Public Schools, and to the URA.

It deals with setting up a marketing team, and my plan although it's not in the motion,

would be that this team would start holding its meetings in April this year. That would leave us with exactly nine months this year and exactly nine council members who can take one meeting a month. I will volunteer to take the first one, and of course to assist in any way that I can. The motion reads:

WHEREAS, the City of Pittsburgh is a great place to live; and

WHEREAS, many people in Western Pennsylvania, the rest of the state of Pennsylvania, the rest of the United States and the world, do not know the many benefits of living in the City of Pittsburgh; and

WHEREAS, Tom Murphy, the Mayor of the City of Pittsburgh, Pittsburgh City Council, the Director's of all Department of the City of Pittsburgh and Neighborfair Pittsburgh, Inc. want to use a team approach to better market the advantages of living within the City of Pittsburgh;

NOW THEREFORE, be it resolved that the Pittsburgh City Council, with the explicit approval and support of Tom Murphy, Mayor and Neighborfair Pittsburgh, Inc., adopts and approves this Motion that;

1. A marketing team is hereby formed, consisting of, among others, all members of Pittsburgh City Council, Tom Murphy, Mayor of Pittsburgh, the Mayor's Office Staff, the Directors of all City Department, Neighborfair Pittsburgh, Inc., Pittsburgh Public Schools Representatives, Representatives of private schools in the City of Pittsburgh and the Director of the City's Urban Redevelopment Authority.

2. This team will hold seminars/meetings in the offices of Realtors, business relocation departments and other appropriate places to promote living within the City of Pittsburgh; also, this team will work together to create programs, activities and campaigns that enhance the City's image locally, regionally and nationally.

Mr. Onorato seconded the motion.

Mr. Onorato:

I want to congratulate Councilman Hertzberg, I agree 100%, as you know Mr. President we talked about this over and over again. He's absolutely right, you talk with some people that do not live in the City, they'll tell you they think we still have a 4% wage tax. We have to get this information out there, that's been lowered twice in the last five years.

I know that Neighborfair Inc. at the home show had an impressive display, where you could tell them to do a comparison, let's say between Bellevue and North Side. They will run the numbers on real estate taxes, the overall tax structure, 80% of the time the net effect was that it was less expensive to live in the City, including our wage tax.

Taxes you paid were less in the City than in the surrounding suburban areas and there's a lot of areas in the City that are thriving, a lot of areas that have had some hard times but are coming back, and this is the information that has to get out there. It's our job to educate the Realtors and as you know Neighborfair had that Realtor program.

I back it 100%, I think it's something we just have to educate the public both in and outside of the City, because there is even banks, Integra, PNC that have programs that have no income caps on it. But if you buy in certain sections of the City they'll give you a half of per-cent below the market with no points, and these are the kinds of programs that should be publicized out there and it's not being done. I hope this achieves that goal, or at least it's a step in the right direction.

The Chair:

On the motion itself I applaud it, one of the problems however, in the past that has plagued the municipality and the efforts that you have outlined in your proposal, is the lack of coordination between various agencies that you have mentioned in the motion itself.

Obviously we have generated considerable amount of additional administrative resources that we have given to the Mayor in the operation of his office. That has a lot to do with better coordinating promotion and marketing in the future, specifically Ms. Kelly's position.

I would ask that at the first meeting that Judy Kelly specifically be assigned to be the coordinator assigned to work with this group that you've outlined. In addition there may be some others that are involved in promotion and marketing that at some point should be also included and invited to participate in this body.

Any other discussion on this motion. All in favor of the motion? Those opposed?

WHICH MOTION PREVAILED.

The Chair:

As part of that I would like to ask that group to consider one thing, and I was going to bring this up with TCI. We have the capability as you all know of the programming of the City Council, the Administration, the City Life shows all of the public awareness and information activities that go on. On TCI, city cable channels are only covered within the municipality.

Given the satellite capabilities we could easily with TCI's cooperation have these promotional shows aired in the other satellite TCI network areas outside of the City of Pittsburgh. So all those suburbanites who like to write letters to the Editor's about City government can have a little more visibility and say so.

But it goes back to your marketing, as you know there are a lot of good shows that are put on involving our neighborhoods and programs that the City is offering. And I think that we should see whether or not we could expand the coverage of cable casting not only of Council and the Administrations activities, outside of just the municipality of the City, utilizing TCI's franchise outside the City. So I'm going to ask that committee maybe take that on and address that as possibly a marketing tool, and see what the costs are associated with that.

Mr. O'Connor:

I think that's a wonderful idea, because I think we're not only fighting the media but we're fighting all the real estate agents throughout the suburbs, who as soon as you come into town say the taxes, the crime, etc. etc.. I want to applaud Allan for his initiative.

I was on a brief appearance on a radio show and I pulled that computer on ten municipalities, like Monroeville, Fox Chapel, Mt. Lebanon. We compared exactly your income with your house and out of 10 municipalities it was cheaper to live in the City of Pittsburgh except for one. So if we could get that word out, especially what you said on cable we should possibly even market it. I'm sure your committees will bring these ideas up, but if you can market it to the people who live outside the City what a wonderful and reasonable place it is to live, it would really help.

Mr. Cusick:

I would just like to thank you, Mr. Smith, Mr. Cohen, Mr. Reginella from the Department of Engineering and Construction, and Mr. Sal Sirabella the Deputy Mayor, for your honesty and commitment in regards to the labor management task force which held its first meeting yesterday in a post agenda form.

We dealt with a lot of important issues, the letting of B contracts, maintenance contracts, emergency contracts. I would also like to thank the union representatives for their patience, their insight.

I believe that was the first step to drafting a labor management agreement similar to Allegheny County's and I look forward to our next meeting. It should be in one month.

The Chair:

Two brief points. I'm going to ask that Councilmembers meet an half an hour earlier tomorrow 9:30 start for the 10:00 meeting. We have budget amendments, and a number of councilmembers have approached me regarding personnel related amendments. I'd like to have some of that discussion prior to the formal meeting at 10:00 if it's possible. So if you could possibly due that at 9:30 in the conference room.

Secondly, and this is a very brief point, there have been a number of letters to the Editor involving the film office, and they seem to be a little bit organized, I don't know if the film office is trying to go through the back door and explain their financial situation right now. I would hope that we have the ability with the new Administration to have a sit down meeting with them and exactly know what's up and what's happening this year.

But I have noticed a number of letters to the Editor going around the issue of some more permanent funding for the film office. I don't know that we want to get into the same predicament that we did in the past, were Council intervened and anted up some special funds that Mr. Cohen had introduced. So I'd like to ask the Clerk to send a letter to the film office and to the Mayor and get an update on their financial

situation, so we can maybe have some discussion on that.

Mr. Cohen:

Just very briefly on that issue, I was going to suggest an initiative soon on that because I think you are exactly right that it is now almost a year later and we do not have a permanent funding source yet.

I certainly support sending a letter over to Robert Curran, at the same time I think that this Council will have to come up with another initiative in cooperation of course with the Mayor's Office to make it happen.

The Chair:

Let's start working on that now, so we're not surprised at the last minute. Including the fact that if we are approved and this is looking down the line, we have the additional revenue, sales tax activity that would move along.

I think we need a clarification and it would be my hope certainly that the Film Office would be part of some permanent funding mechanism. If that money does start generating itself at the end of the year we could maybe pull from the operating account and then pay back later on what we did in previous years. So we need some clarification on that.

Mr. Cohen:

I agree, I think we have to fish or cut bait on the issue on whether or not the Hotel room tax is going to fund them permanent. It should be, that was what the State Legislature intended, but if

it's not going to happen, then we should try to get. My view is we should try to get the Film Office under the Regional Asset District.

The Chair:

Mr. Hertzberg has introduced legislation which he's waved Rule 8, and it's coming up tomorrow involving a proposed change to the Home Rule Charter. It's a little bit problematical I support the measure because I think it begins to address the predicament of the life guard situation. I want to move it along, but we should all be cognizant that the Board of Elections has a 13 week requirement in terms of Council notifying them for any changes to the ballot for referendum questions.

I believe Mr. Hertzberg, and I would like to have him speak to this, wants to move this along quickly, have final action and then at that point we forward it to the Board, if we are supportive. We then would probably have to take some court action to appeal to the Court of Common Pleas to expedite, since we have not met the time constraint.

Mr. Hertzberg do you want to explain a little bit, and I know you have a motion to recess this meeting.

Mr. Hertzberg:

I would first note that we have scheduled the Post Agenda on the swimming pool and life guard issue for a week from today. It is true, we are past the dead line to amend the Charter, and we will be petitioning the Court of Common Pleas as long as Council does pass

this Ordinance and the Mayor signs it.

I think our chances of having the Court of Common Pleas order the Department of Elections to place it on the ballot for May the 10 of this year are increased if we do work quickly. The worst that can happen is, that it doesn't get on the ballot May 10th, and it goes on the next time. I think it's worth while for us to give it a shot and get it on as fast as we can, and we can only I think help ourselves.

I havn't received anything negative on this Ordinance at all. I also communicated with the Solicitor of the School Board and it was greeted there, and from yourself. I mentioned people that have run into some problems with the Civil Service when we've had those situations. Which are pretty much harmless when your school's are not in session, for your school employees to be helping out with the seasonal activities at our parks and pools.

The Chair:

I support the referendum, obviously I think it's a good way to address some of the problems we're dealing with with summer help. I know in the past several people have come to me over the last few years and have lost their job with the City because of the summer situation with the School Board, and it's been unfortunate. I think we need to show the court that we acted expeditiously and have actually moved this along very quickly so we can at least make a good argument when you appear.

The Chair:

At this time I would like to entertain a motion to recess this meeting, and meet again directly following the working session tomorrow of the Standing Committee. I do see Mr. Smith's hand go up.

Mr. Smith:

Quickly on another issue before we recess this meeting. I passed out a copy of a memo that went through General Services. I was given it this morning. It has been interpreted by employees that they are not permitted to speak with us as elected officials. I think that we need a clarification, and interpretation of this memo, that mentions us specifically and a clarification to the employees as to what the intent of the memo is.

I think that it is probably inappropriate that we have been singled out, but I think that what we need is a clarification for the employees that are now terrified that there would be some repercussion for talking. I have a number of employees in General Service who are also my constituents in my district, and they are extremely afraid of dealing with me now based on this memo.

I would like us as a body to ask for clarification from the Legal Department and the Acting Director of the Department specifically what this means to those employees in General Services.

Seconded by Mr. Cusick.

The Chair:

There have been a plethora of memo's the Mayor's Office in the last week, and we need some clarification, needless to say we're having a problem of failing to communicate right now, which I know we are going to straighten out very quickly. I support the motion, and I think we need to meet with the Mayor and just explain how things are done in City government and with the legislative branch, and clarify things. I am sure we're going to be able to come to an accommodation.

Mr. Cohen:

Mr. Ferlo, this memorandum that Mr. Smith circulated is not from the Mayor's Office, but it does to me smack of a gag order and I do not think that is a good idea. It's not good for communication or for moral for that matter, so I certainly support Mr. Smith's motion. I don't think there should be a memo from any Director saying that his employees can't speak with Councilmembers.

The Chair:

Well three people in City Hall can keep a secret, if two of them are dead, so I don't think there is going to be a problem with the information.

We need a motion to approve the minutes and excuse the absent member.

All in favor of that motion? Those opposed?

WHICH MOTION PREVAILED.

The Chair:

Motion to recess this meeting and meet directly following the Standing Committees Meeting tomorrow.

All in favor of that motion? Motion passes.

And on the motion of Mr. Ferlo

COUNCIL RECESSED.

COUNCIL'S RECESSED MEETING
OF MARCH 1, 1994.

The Chair:

Council's Legislative session is now reconvened from our recess yesterday. We will dispense with the reading of the roll. We are specifically voting only on one bill to expedite legislation that Mr. Hertzberg introduced which requires a resolution being forwarded to the board of Elections and we need a deadline. At this time, I would ask the Clerk to please read Bill No. 245.

The Clerk:

Report of the Committee on Finance for March 2, 1994, with an Affirmative recommendation.

Bill No. 245 - An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would amend Section 707 of the Home Rule Charter - Multiple Employment Prohibited.

The Chair:

You have heard the reading and the title of the Bill, is there any discussion on this matter. Hearing none the Bill is now up for final approval.

All in favor of the proposed Ordinance will please signify by voting Aye. We will have a roll call, if you are opposed please vote no. Will the Clerk please call the roll.

AYES:

Mr. Cohen
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

Ayes: 7 Noes: 0

The Bill having received the legally required number of votes is passed finally. I will sign this quickly, we will get this over this afternoon to the Board once the Mayor receives the legislation.

We have no other matters unless there is something urgent. We do have a Post Agenda immediately following this meeting, involving the Housing Authority in terms of complaints or the legitimacy if any of complaints of contractors over the past year doing business with the Housing Authority. Those interested members can remain at the table, we're going to move right in quickly to this Post Agenda. I appreciate everybody and the Housing Authority folks for being patient.

At this time we're going to remind Councilmembers of two Public Hearing's today, one is at 2:00 on a zoning bill, and the other at 3:00 on another zoning matter. Obviously we would like a quorum at 2:00 for these various zoning public hearings.

Any other matter under Motions and Resolutions, if not I'll entertain a motion to adjourn.

On the motion of Mr. Ferlo,

The meeting was adjourned.

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 200, WEDNESDAY,
FEBRUARY 23, 1994)

Mr. Ferlo:

Motion to approve for purposes of discussion.

Mr. Smith:

Second.

Mr. Ferlo:

And I will try to be brief because the hour is late.

The Chair:

Councilman Ferlo.

Mr. Ferlo:

We have the Finance Director, who the resolution speaks about, but I want to ask that the Acting Director of the Water Department come forward, Mr. Hanna, also. It was not my intent to exclude any other director who had something to do with this issue, in writing this, and we can even amend it, I was just trying to direct it to some appropriate Administration staff.

This actual bill came about as a result of Mr. Ricciardi and folks in his district. An elderly gentleman, Mr. DeAugustino, from Arlington Avenue, approached me at a neighborhood meeting up in Arlington a few days ago. The intent here is for individuals, be they elderly, or anybody else, obviously, on a voluntary basis, being able to have their quarterly bill, albeit Alcosan, and I recognize that it is an independent authority but I talked to them and they are willing to work with us on this, and/or the Water and Sewer Authority, in terms of the City, and/or other possible bills, including finance tax bills, but the general idea would be that if you, an individual, and oftentimes this may be an elderly person, who wants to have an automatically deducted direct pay for that bill with a better accounting system, a better accountability, in terms of their payments being made, we have continually -- in the five years that I have been here, it is frequently the case that people will dispute and come down here and spend hours down here arguing with somebody at the counter about the fact that a bill was paid; in fact, even this gentleman, who actually brought this to my attention, from Arlington Avenue, actually had a lien placed on his home by the City for an Alcosan bill that he already had paid and it took him forever to straighten this billing out with the counter downstairs.

So, the intent here, obviously, is to facilitate it, make it more cost efficient, and I would hope that there would actually be a cost benefit because the City would realize its income on a quicker basis. It is 1994, whatever year it is, we should join the information age, we should let the computer systems be used by the public, by the City Departments and Alcosan. I view this as a customer friendly approach. I do not know what financial burden we will bear, sometimes there is a fee associated with this, and that would have to be explored.

So, I am asking that the directors involved, and I would like to amend this, obviously, and include the Water Department Director, that you take the charge and work with this committee, obviously I want to work on this issue, but I think it could be mutually beneficial and certainly I think for elderly people, they would find it helpful if on a quarterly basis, they do not even have to have postage, write a check, or be hassled, they can have direct pay on a voluntary basis. But, again, I would want this on a voluntary basis, they would have to opt into this, and we would have to work with the banking community. So that in a nutshell is what this is proposing.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

I agree it is a good idea. Is this just for elderly or could it be anybody?

Mr. Ferlo:

No, it is for any individual who would like to do this. I think it would be most beneficial to many elderly people, especially those that get Social Security deducted, directly communicated to the bank, and things of this sort.

Mr. O'Connor:

I think it might be pointed out that, including myself, I never had direct pay and people always said, do it, and I never did it until about six months ago here, and my wife, I guess we are the old-fashioned way, you do not want to do it, but it is so much easier for everybody and the check is there the next day and the bills can be paid. So, I think you are in a good direction, especially when some of these pay quarterly and their having some problems, and I think it is in the best interest of the City of Pittsburgh. The residents, I do think, though, you will have a selling -- it is a hard sell, especially for the elderly, who have never done it and really may not trust it, but I think you should try to sell it as best you can do, on a voluntary basis, which you said.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Mr. Chair. One comment, then a brief question for Director Hanna. The comment is, I think it is a good bill, it is a good idea proposed by Council member Jim Ferlo, it offers convenience for our rate payers, and also a special thanks to a Mr. Paul DeAugustino from Arlington that provided Mr. Ferlo with some of this information.

(END OF COMMENTS)

PREPARED BY: CHERYL L. WILDS
STENOTYPE REPORTER

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

March 8, 1994

No. 10

Municipal Record

ONE HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO President
LINDA M. JOHNSON-WASLER ... City Clerk

Pittsburgh, PA
March 8, 1994

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo, Pres.

ABSENT:

Mr. Darkins

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

The Chair:

We're very pleased today to have Corey O'Connor here in Council Chambers, he is the son of Councilman Bob O'Connor. He is a 4th grader at East Hills Elementary School.

Corey O'Connor:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. O'Connor presented

No. 263 WHEREAS, Taylor Allderdice is a school known as being exemplary for its academics, and has consistently proven itself to be outstanding in sports as well; and,

WHEREAS, the following eight Allderdice teams have excelled in their sports this past Fall, winning the City League Championships:

Boys' Cross Country Team
Coach Ed Flynn

Girls' Cross Country Team
Coach Ed Flynn

Golf Team
Coach Al Margolis

Boys' Soccer Team
Coach Dennis Waronsky

Girls' Soccer Team
Coach Chris Edmunds

Boys' Swim Team
Coach Ed Flynn

Girls' Swim Team
Coach Phyllis Sanguigni

Girls' Tennis Team
Coach Phyllis Sanguigni

WHEREAS, these teams have exemplified the kind of dedication, skill and sportsmanship of which the Allderdice Dragons can be proud, and which all Pittsburgh Public Schools can work to attain.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh congratulates these Allderdice teams on their exceptional performance this year, and declares the week of March 7 through March 11, 1994 to be "Allderdice Dragons Week" in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution

Mr. Onorato seconded the motion

Which motion prevailed

Dr. Judy Johnson - Principal

Thank you very much Councilman O'Connor, and City Council, I was worried that Joey Cusick wasn't going to get here since Councilman Cusick was a student when I worked at Brashear he came late then sometimes too. I couldn't resist that Joey. I do want to thank City Council for their gracious Resolution and recognition of the fine work that both our coach's and students do at Taylor Allderdice High School. I am very honored to be principal and I would like to introduce other people who were not introduced,

Ken Amrick who is the Athletic Director for Taylor Allderdice High School, Lenette Letterman, who is here President of the PTO, she's in the back. Especially Councilman O'Connor I know you've met him but I do want to thank him because we did as some of you know have a recent event at the school, and Councilman O'Connor was there the entire time. He helped us very much in terms of resolving some issues that needed to be resolved, and has pledged his continued support in that effort.

I thank all of you very much.
Thank you.

Phyllis Sanguigni, Coach:

I appreciate being here, I do want to thank Dr. Johnson from the school for coming down, because as Principal this first year we've had some good news and some bad news. This is the day we have some really good news, because we are championship teams. I'm very fortunate to have coached the Tennis Team, Mr. Walt Tresser used to be the coach and he gave it up for another job this year. But Ty right here in front is a two time City Champion for the tennis team. I have several other students, but there's too many to introduce. I do want to introduce Ty as a two time champion.

My swimmers, I'm not sure, are they in the back somewhere, will the swim team hold your trophy up. Anyway the swim team at Allderdice is very fortunate to have wonderful girls who come out for that team, 17 to 18 years consecutively the City Champions. This year when we won it's with Ed Flynn as my coach and I'm like his assistant. He's a wonderful man to coach with, so in accepting

this accolade you give us today, I can't not accept this without saying thanks to Mr. Flynn.

We don't have the timer and scorers here, we will try to award them at another time. You cannot have a swim meet without about 20 kids helping you on the line. I do want to say thanks kids, for that.

Mr. Flynn, Coach:

I also would like to thank Bob O'Connor and the other Councilmembers for having us here. It's a nice moment for us because sometimes we don't always get the best publicity. This is something very positive. I think you should also note, maybe by a show of hands it would be successful, I want those students who are honor roll or high honor roll students to raise their hands.

I would like to thank some people, Gina Pisetti who helps me with Cross Country, she wasn't able to make it here today, some special recognition, our Captain for the girls cross country team is Shelia Roth, she will be attending the University of Maryland. Our MVP was Katie Goldhaber, for the boys cross country, our Captain was Webster Kelsey, he'll be attending Dartmouth College, and our MVP was Adam Blitstein. For the Boys swim team is Jeremy Childs, our Captain, and he will be attending the Pitt Honors Program next year. I also want to thank Al Rose who is a swim coach at the JCC who has graciously donated of his time a couple mornings a week to come out and help us at the school.

I think it's important to recognize that of our 33 swimmers that we entered in the City Championship this year, everyone one of them placed. That's a fine fine performance. The boys have 5 championship's in a row. Al Margolis was unable to make it today, he's the golf coach, so I would like to recognize Cassie Tkocs, who was the girls Golf City Champion. Thank you very much.

Ken Amrick, Athletic Director:

As Athletic Director I have to say that I am very proud to be associated with Allderdice. There are 8 fall sports, and we're City Champions in 6 of them. There are 5 winter sports, and we have City Championships in 2 of those. Spring is on the way, we'll probably be back.

Dennis Waronsky, Coach:

I'd like to thank everybody for inviting us down today. Allderdice Soccer has been around for about 6 years, out of the 6 years the boys team has won 6 out of 6 City Championships. I think the one thing Captains, Chris Hall, D. Pletsy, Josh Mycoff, and Chris Rockmore, these boys have been with me for quite a few years, about our team that is a real honor to them, beside the 6 City Championships they have, this is a team that carries about a 3.4 quality point average throughout the season. It's not a matter of just being athlete's, these gentleman are scholars also.

Chris Edmunds, Coach:

Good morning, my name is Chris Edmunds, and I am the coach of the Allderdice Lady Dragons who won the City Championship this year,

and went on to qualify for the first time to play off for the State Title. We lost to Mt. Lebanon, they were number 1 in the nation when we played them, we had an opportunity to play the best in the country. Even though we lost by the score, I think we won in the moral victory.

With that in mind I would like to introduce the 4 ladies that we have here today, Rachel Miller, Jenna Rallis, and we have a duel sport individual on our team, Rachel Cherry. I made this comment before, she came to me one day after practice, and said she's not working hard enough. So she wanted to not only do soccer, but she wanted to do cross country. At the time we made it for City Championship she also qualified for the State Championship in cross country as well.

I have another outstanding athlete, her name is Lisa Polansky, she's a senior, Lisa Polansky has shown the quality of an athlete that a lot of people within the City and within the woodpile of the ranks, have noticed her skill level. Lisa was for the first time nominated for the Dynamite Dozen, and they were taken from without the woodpile, and she was the only girl from the City who was noted for her outstanding skills, and made it on that team.

Mr. O'Connor:

One thing we learned at Allderdice in the last couple of weeks with many meetings, is we adults usually don't pay enough attention and listen to the children enough. I want to make sure before we go away I want to hear from 1 or 2 of the athletes and students.

Chris Edmunds, Coach:

I did forget Nora Sworek and I'm sorry Nora, I don't want any one to be left out.

Tianna Duval, Student:

I am a junior at Allderdice, and I want to thank Mrs. Sanguigni for being our coach this year. Also, everybody who was on the Tennis Team as well, and I hope we can win next year. Thank you.

Jeremy Childs, Student:

I was Captain of the Swimming Team this year, I want to say thank you very much to Mr. Flynn whose been our coach. It's been a great experience being on the swim team, and want to say thanks to all the guys, and I'll miss you a lot next year.

Mr. O'Connor presents:

WHEREAS, Pittsburgh's annual St. Patrick's Day Parade, sponsored by the Irish Society for Education and Charity, Inc., will be held on Saturday, March 12, 1994; and,

WHEREAS, the St. Patrick's Day Parade was first held in 1869, and has grown in size and splendor since 1950, annually drawing thousands of enthusiastic Irish marchers, and tens of thousands of spectators to downtown Pittsburgh, and becoming the oldest and largest parade in Pittsburgh; and,

WHEREAS, the spectacular 1994 parade will feature twenty-five musical marching bands and bagpipers, cartoon characters, the County's Mounted Police Force, the Irish Wolfhounds, the Irish Setters, a variety of animals

available for adoption from Animal Friends, traditional Irish costumes, and creative floats; and,

WHEREAS, Miss Smiling Irish Eyes of 1994, Bridget Connolly, and her court members Janel Diven and Erin O'Donnell, will reign as queens of the parade, exemplifying the strength, vitality and beauty of Pittsburgh's Irish community; and,

WHEREAS, the parade will begin at 9:45 a.m. in the Strip District, beside the Lawrence Convention Center, be led by Grand Marshall Jack Gavin up 11th Street to Grant Street, then head up shamrock-painted Fifth Avenue and conclude at the entrance to Point State Park.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, does hereby commend all of the organizers of and participants in the annual St. Patrick's Day Parade, and in the spirit of Pittsburgh's Irish community, does hereby declare the week of March 12 to March 19 to be "St. Patrick's Week" in the City of Pittsburgh.

SPONSORED BY COUNCILMAN BOB O'CONNOR, CO-SPONSORED BY COUNCILMEN DAN COHEN, JOE CUSICK, DUANE DARKINS, JIM FERLO, ALAN HERTZBERG, DAN ONORATO, GENE RICCARDI AND CHRISTOPHER A. SMITH

The resolution was approved and seconded.

Which motion prevailed.

Kevin Donahue, Chairman Parade Committee:

I'd like to thank Councilman

Bob O'Connor our Irish, or one of our Irish Councilmen, and President of Council Jim Ferlo, and I invite all or you to join us Saturday morning at 9:45, and the new route will be at 11th Street, the Vista Hotel. I would like to also introduce our Miss Smiling Irish Eyes, Bridget Connolly

Bridget Connolly:

Thank you, I would like to say that I have always been extremely proud of my Irish heritage, and it's an honor to be Miss Smiling Irish Eyes.

Jack Gavin, Grand Marshall:

Thank you Councilman Ferlo, O'Connor, this year the only thing that I am promising is that there will be no blizzard of 94. We promise you good weather, it's a family day, bring out your children, your neighbors, there is a lot of work and effort that is put into this parade. Were expecting sun shiny weather Saturday morning, come join us. I want to thank everybody that attended here today, and thank City Council for the proclamation.

Kevin Donahue:

I would just like to thank the committee that is here, there are more people on this committee. These parades just don't happen, it takes months and months of work. I would like to start with Ed Patterson, Charlie Moffat, Jack Goodridge, Glenn Cannon, Jack Gavin, Jim Tumey, Marty Madigan, Jim Colwell, and John McAvoy,

Joe Cusick:

I grew up in the Irish community, and it's been an

extremely important part of my life. The people you see beside me today, are very important in what I do today. I would like to say that every year the Irish get better. In 1994 having Jack Gavin as our Grand Marshall, it doesn't get any better than that.

Mr. Hertzberg:

Mr. President I would be remiss if I didn't mention, and I'm sure that a lot of you are wondering if Janel Diven one of the court members was related to our 20th Ward District Justice Daniel Diven, in fact she is his daughter. I congratulate everyone here, and I'm looking forward to marching on Saturday.

Mr. Cohen:

I just want to take a moment to congratulate everybody that has worked so hard on this. We all see the parade and participate in it. Hopefully we won't have to be in it from inside a car, right Marty. But I think a lot of people don't realize how much work and effort goes into this, and how many other events surround the parade, like the breakfast last Sunday, and like the fund raiser last Thursday. There is really a terrific amount of work and effort, people like Marty Madigan, the 4th Ward Chair, and everybody else. I want to thank you so much for all your hard work. I'm looking forward to a terrific parade on Saturday.

The Chair:

Our Grand Marshall Mr. Gavin you carry that banner in good times and in bad, I'm very proud

that the community has recognized you making you Grand Marshall, It is indeed an honor.

The Chair Presents:

WHEREAS, National School Breakfast Week, as part of National Nutrition Month, occurs from March 7-11, 1994; and,

WHEREAS, breakfast programs can increase educational achievement and performance, improve child health, decrease classroom disruptions and discipline problems, and improve school attendance; and,

WHEREAS, many children do not have a healthy breakfast before coming to school despite evidence that concentrating more calories early in the day results in better health; and the program is not just for poor children, but all children in the United States may participate; and,

WHEREAS, the national CCHIP study -- Community Childhood Hunger Identification Project -- has shown extensive hunger among children in the 11 sites around the country where it has been conducted, resulting in important policy changes by local authorities, and the same study is currently taking place in Allegheny County and the results are expected; and,

WHEREAS, the Pittsburgh School District now serves over 8,000 breakfasts a day to hungry children; and,

WHEREAS, Congress, the Pennsylvania State Government, and hundreds of national organizations have placed a priority on seeing that hungry children eat breakfast.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh wants each child to have the opportunity to reach his/her potential by starting the day with a nutritious breakfast and encourages all parents and children in the school district to take advantage of the program in their school; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh commends Just Harvest for their advocacy work over the past seven years towards bringing the National School Breakfast Program to Pittsburgh, to Allegheny County and to the Commonwealth of Pennsylvania.

SPONSORED BY COUNCILMAN JIM FERLO

The motion was approved and seconded.

Which motion prevailed.

The Chair:

Members of Council and to the public, thank you. A long time ago I got involved with a group called the Concerned Mothers of Terrace Village, probably about 15 or 18 years ago. Those ladies who worked very hard up in that community, actually were a little bit ahead of their time, they had a school breakfast program and they fed a large number of young people within the public housing community. I think, thanks to the efforts of Just Harvest.

It was not always the case that the local School Board was sympathetic and wanted to deal with maybe the bureaucracy of the breakfast program. But because of the work of Joanie and other from Just Harvest, they really went out

and advocated strenuously for the implementation of this program. The School Board and the City of Pittsburgh became involved and supportive, I think that helped lead the way for other school districts to become involved.

It's a very important program, and I think the Resolution speaks for itself. I was pleased to see Mayor Murphy yesterday at one of the local schools, helping to promote, I know the Commissioners have been supportive this week in the Hunger Week. Again, I want to commend Just Harvest and all the folks who are the implementation part of this effort. It a very important program.

Joanie Rabinowitz:

I think the resolution speaks for itself, and I think that most of us are aware and agree that breakfast is the most important meal of the day, and it's really important for our children to have it before they start in school.

When Just Harvest first began advocating for the breakfast program, only 12 school districts in Allegheny County had the breakfast program, and the Pittsburgh School District was not one of those. During the course of our work in the early years and up through now the Pittsburgh School District did begin to serve the program, and many more school districts in Allegheny County did, so that now 32 district in Allegheny County serve the breakfast program. I think they are serving about 15,000 children per day breakfast.

We have here a number of administrators and children from some of the various schools in the

Pittsburgh School District, and I wanted to introduce some of them. First we have here Lisa Scales who has been working for us at Just Harvest on promoting the program. We hope that in the next year or so to bring on several of the new districts in Allegheny County as well as increase the numbers of districts that are participating outside of Allegheny County.

I now want to introduce Ms Dolores Ford, she is the school Food Service Director of the Pittsburgh School District. She will introduce her principal's and students.

Ms. Dolores Ford:

Good morning, I want to thank Councilman Ferlo, in fact I live in his district so I am very proud that he is the one sponsoring this resolution today. Most of all I think that we're here today to show you what beautiful children we have in the School District of Pittsburgh. One of the reasons is because we feed them so well, and breakfast is one of the main reasons why we're here of course today.

Breakfast is an investment in our future, as is lunch, this is the way we look at it. The School District of Pittsburgh is looking at the breakfast program as part of the educational system not divorced from. We cannot teach hungry children, there is nothing very difficult to understand about that. So we are very proud today to be here, to have the children exposed to this wonderful opportunity, and also I am very proud to have the opportunity to introduce some of the prime Principal's from our City School's

who have taken their time to bring our children down, to show you that we actually have some beautiful children in the City.

The first Principal I would like to introduce is from Brookline, she is representing the Principal, because the Principal had other commitments today, this is Mrs. Jones from Brookline School.

Mrs. Jones:

Thank you, and I would like to say thanks to Mrs. Ford and the Food Service Department for inviting us here from Brookline Elementary School. My name is Eleanor Jones and I am the Assistant Principal at Brookline. With me I have Vanessa Salter, Rashad Asque, Earl Braden, and Kimberly Ford. At Brookline we are very appreciative for the breakfast program because it gives us a chance to begin our day nutritionally, and of course with that in mind our children perform academically and behaviorally very well.

Mrs. Neep:

Thank you Mrs. Ford, I'm Sherry Neep and I am very honored to be the Principal at Clayton Traditional Academy in the North Side. It's because of Mrs. Ford and the Food Service Department, and Just Harvest, that our children get the right start on education daily. We're very proud to be here today, we're very proud to be City school children who will one day grow up to be like the fine role models that were here before them from the Allegheny student body. I'd like to introduce, Sarah Paulus, Melinda Johnson, Conn Vaunsabon, and Shantel Gifore.

Mr. Mascarey:

Good morning everyone, fellow Councilman and Chairman Ferlo, it brings us great honor to be here today from Philip Murray School, in case you're wondering where that is, that's located in between Mt. Oliver, the Carrick and St. Clair Village communities. I'd like to reiterate what my colleagues have said about the Breakfast Program.

At Philip Murray almost 50% of our students participate in the fine Breakfast Program. I believe that we are blessed in the district with the caliber of Mrs. Ford, who puts out one of the finest food service programs in the area. I know that because of other Food Service Directors who have come and told me that. It is quite an honor to be here today, we thank you for inviting us. I would like to introduce to you Murray's finest, Mia Saunders, a 5th grader, Vernon Muldroe, a 4th grader, and Robert Taylor, a 4th grader at Philip Murray. Thank you again for having us today.

Mr. Nicholas:

Good morning, thank you very much for having us, at Reizenstein we usually use to bragging about our academics, our drama of Reizenstein musical theatre, our sports program, well over half of the Allderdice people, who were up earlier, are former Reizenstein graduates.

We're also very proud of our breakfast program and our lunch program that is run locally by Mrs. Merle Sobek and under the direction of Mrs. Ford, we thank them very much for it. I would like to introduce the four students with me today, and they

are, Candice Williams, Matthew Davis, Natalie Esposito, and Jerry Hays. Thank you very much for having us.

Mrs. Ford:

And, last but not least, we have representation from Allderdice High School, my cafeteria manager Joanie Gavren brought them. I gave her the option to introduce them, but she said "no you do it."

Would the students that are here today raise you hand as I introduce you. Areba Davis, Sarah Saunders, Angela Jones, and Allison Freed. We thank them for being here today.

And, last but not least, this is really the least, let me just acknowledge my staff that is here today, because without them I could not get all these accolades and produce such wonderful results.

We have Maggie Greisnovsky, Carol Osborne, Joyce Webber, and Peter Falalino, who is my marketing person, and who is responsible for getting this together. Again let me thank you, but most of all please take back with you, that what we are doing in the City is going to be our future. Thank you for acknowledging us today.

Mr. Cohen presents.

Good morning everyone, would Dr. Bruce Macleod and his family, and Bill Dougherty and his family, and all the firefighters please come up here now.

Members of Council and members of the audience it's really an

honor to be able to deliver this proclamation today. I am sure everyone remembers that day about a month and a half ago, when a Port Authority Bus caught on fire in the Liberty Tubes. The day was January 19th, and the weather was frigid, it was something in the area of minus 32 degrees.

That event of the bus catching on fire could have been a real tragedy to the City of Pittsburgh. One of the reason that it was not a serious tragedy, was because of the heroic efforts of two men, and those two men are Dr. Bruce MacLeod and Mr. Bill Dougherty. It is our opportunity this morning to praise them really for their heroism, because they were stuck in that tunnel too. Instead of thinking about their own personal safety, at a time when the tunnel was filled with smoke and fire, what they did, was they got out of their cars and led people out of the tunnel.

Dr. Bruce MacLeod is the Chair of the Department of Emergency Medicine at Mercy Hospital, so he knows emergency situations quite well, and also the Fire Bureau's Physician Coordinator for the electronic defibrillator program, he got out of his car, and yelled follow my voice, follow my voice, and people did.

Luckily very luckily we had a firefighter, off duty firefighter in the tunnel at the time, Mr. Bill Dougherty, he got out of his car too, and he shepherded people out of the tunnel so that what could have been a tragedy and we could have lost lives at that event, became luckily a gratuitous event. I want to congratulate these two men.

We have with them today, Dr. Bruce MacLeod's family including his wife Jan, and Ian who is 2 years old, and his two daughters Megan and Emily. We also have Bill Dougherty's family, and I should tell you that Mr. Dougherty is as I told you, a firefighter himself, but also his Father is a firefighter, his Grandfather was a firefighter, his Uncle and his Father-in-Law. So he comes from a long line of firefighters. We have his Mother Carmella, his wife Christine, his daughter Kathleen, his brothers Rob, Anthony, and Bernie, his neice Crystal, and his Uncle Richie.

We also have Chief Dickinson, and Deputy Chief John Gourley, and of course, the President of the Firefighters Mr. Joey King, and Lt. Russell Young, Lt. Daniel Acklin, and all of you know Battalion Chief McNally, not only in his own right, but he is also the father of State Representative Chris McNally.

That having been said, I would like to read the following:

NO. 266 WHEREAS, on January 19, 1994, during frigid temperatures, a PAT bus caught fire on the inbound portal of the Liberty Tunnel, during the height of the morning rush hour; and

WHEREAS, Dr. Bruce MacLeod and Mr. William B. Dougherty, were driving in separate cars in the tunnel; and

WHEREAS, Dr. MacLeod, with no regard for his own safety in the deteriorating environment, directed people to a safe area by constantly shouting "follow my voice"; and

WHEREAS, City of Pittsburgh firefighter William Dougherty, off-duty at the time, heard the voice of Dr. MacLeod and shepherded many people away from the fire and exposed himself to inordinate amounts of smoke; and

WHEREAS, due to the heroism of these two men, lives were saved and serious injuries avoided.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Dr. Bruce MacLeod and Mr. William B. Dougherty for their bravery and heroism; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Tuesday, March 8, 1994 Dr. Bruce MacLeod and Mr. William B. Dougherty Day in the City of Pittsburgh.

The motion was approved and seconded.

Which motion prevailed.

Dr. MacLeod:

Thank you, I am very honored to receive this, I accept it somewhat sheepishly because one thing I believe is that many of the citizens of the City of Pittsburgh would have done the same thing I did. I have a hard time talking about the whole experience because I feel that it was just a natural progression of events that led me to do that. I also want to thank my wife, for hitting the snooze alarm that morning, that led me to be in that tunnel at that time.

Finally, I have had the privilege of working with the Pittsburgh Bureau of Fire for 5

years now, and I can tell you with all certainty that Mr. Bill Dougherty represent the quality of person that's involved in the Bureau of Fire, and I was not really surprised that it was indeed a firefighter that was shepherding those people in from that smoke. Thank you very much.

Mr. Dougherty:

Well first of all, a funny thing happened to me on the way in from South Hills this morning. As I was coming through the tubes I was sitting in traffic and thinking, wouldn't it be ironic if we just sort of got stuck here, and didn't make it here for this presentation.

However, I would like to take this opportunity to thank Dan Cohen and the City of Pittsburgh, also to say it's a privilege and honor to work in the fire service in the City of Pittsburgh. These firefighters that I work with can be counted along with the best in the Country.

As compared to any of the large Cities, I think the bravery and courage and the dedication of the City of Pittsburgh Firefighters, is possibly the greatest or along with the greatest in the Country.

Also, I think at the root of that dedication and the feeling that the people have for the job that they do here in the City, is Joe King and our Local Number 1, which has done so much work in the past, and all the other Union Presidents we've had in the past.

Last but not least, my hat is off to Dr. MacLeod for doing what he did. Which sort of prompted me to go through and do the things that I did at that time. Thanks to everybody.

I have something I wanted to present to Dr. MacLeod, I do a little art work in my spare time, and I came up with something that I had a friend of mine do for this T Shirt.

It says, "I survived the Feb. 19, 1994 Fire in the Tubes"

Chief Dickinson:

Quickly, because I know it's been a long process this morning. What's right in this world is what's been in this room this morning, and how quickly we forget with the seemingly endless tragic stories day after day. This room has been filled with happiness, and I can't tell you what an erroneous job not only did Dr. MacLeod and Firefighter Dougherty do that morning, but the firefighters on the scene. What a lot of you don't know, that morning was under the command of Chief McNally. What we know in our business, is tunnel fires have a long history in the fire services as being tragic fires. But because of good fire ground attack and procedures, and a good fire ground effort of the firefighters that were there, and what we didn't know was these two gentlemen were doing their part, it all turned out to be a successful story that morning.

I couldn't be prouder of the Fire Bureau, the Firefighters, and particularly these two gentleman who didn't know each other that morning, but have come here today to know one another.

Mr. Joey King:

Thank you, I share the same sentiments of all the speakers

here before me. It's been a pleasure working with Dr. MacLeod over the last 5 years. He fully understands the complexity and profession of a professional firefighter.

Both of these gentlemen exemplify the true dedication, professionalism of an emergency situation. With the hostile environment and the toxicity and smoke involved in this particular incident, neither one of them took concern of their own life and safety. They felt a need to get everybody else out. For that, as a President of a professional organization, Firefighters, I want to personally thank Dr. MacLeod, and will call it Doc day in the City of Pittsburgh, because they're both Doc's., that's what we call them in the department.

The Chair presented

NO. 267 WHEREAS, Robert V. "Bob" Vavro who has for nearly 44 years been a union member having joined Barbers Local 20 in September 1950, and who later served in the capacity as Secretary-Treasurer of Local 20; and

WHEREAS, Bob Vavro was elected as Vice President of the former Journeymen Barbers, Hairdressers and Cosmetologists International Union of America; and

WHEREAS, Bob Vavro was instrumental in leading local negotiations which helped facilitate the merger of Local 20 with the Amalgamated Meat Cutters and Butcher Workmen of North America, Local 590, which was a predecessor of the United Food and Commercial Workers (UFCW) Local 23; and

WHEREAS, Bob Vavro is presently serving as President of the Pennsylvania Legislative Council of Organized Barbers while simultaneously serving as Secretary of the Pennsylvania Cosmetology Council and at the time of his retirement on March 1, 1994, was a Vice President and Director of the Hair Care Division of UFCW Local 23; and

WHEREAS, Bob Vavro is a native Pittsburgher, born and raised in the steeltown of Hazelwood and has been married to the former Carolyn O'Connor for 37 years. He is the proud father of three sons, Robert, Jr., John and James. Bob has many interesting and exciting hobbies including skiing on both the U.S. and foreign slopes, swimming and gardening.

NOW, THEREFORE, BE IT RESOLVED, that Bob Vavro is being honored for his many years of service and dedication at a Retirement Celebration which is scheduled to be held on Saturday, March 12, 1994 at the Vista International Hotel, Downtown Pittsburgh.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh wholeheartedly congratulates and extends well wishes to Bob for the many years of service and hereby declares Saturday March 12, 1994 as Robert V. "Bob" Vavro Day in the City of Pittsburgh.

The Chair:

The resolution was approved and seconded.

Which motion prevailed.

The Chair:

This gentleman worked long and hard in the Union movement locally, with the Barbers Local, he's retiring after many many years of service. He will be honored by his brothers and sisters in the Union, I think this weekend at the Vista.

We are very pleased and honored to give him recognition.

Mr. Cohen presents

No.268 Supplementing the Pittsburgh Code, Title Five-Traffic, Article VII, Parking, Chapter 549, Residential Parking Permit Program, by adding Section 549.04 (b) (7) private streets as eligible for inclusion in Residential Permit Parking Programs if all other criteria are met. (8) Residential Permit Parking waiving their right to exemption from city signage specifically for the placement of Permit Parking signage.---(SPONSORED BY MR. COHEN)

Which was read and referred to the Committee on Public Safety.

Mr. Cusick presented

No.269 Resolution providing for the transfer of \$60,000.00 to the "Brereton Street Trust Fund" Index Code #250217 which represents the City' share of the costs of Repairs to the Brereton Street Retaining Wall.(PRESENTED BY MR. CUSICK)

Which was read and referred to the Committee on Finance.

Also,

No. 270 Resolution providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for Engineering Services in connection with the Design of the Replacement of the Overbrook Way Footbridge; and providing for the payment of the costs thereof.

Also,

No.271 Resolution providing for an Agreement or Agreements, or the use of existing Agreements and/or Contract or Contracts, or the use existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of Existing Play Areas; and providing for the payment of the costs thereof.

Also,

No.272 Resolution providing for a Cooperation Agreement or Agreements with the Pittsburgh Board of Education and "Playground Liberty and You" (PLAY) for reimbursement of their share of costs incurred during the Construction of the Liberty School Playground; and providing for the deposit of such reimbursements.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Hertzberg for Mr. Darkins presented

No.273 Resolution granting unto Peoples Natural Gas Company, 1201 Pitt Street, Pittsburgh, Pennsylvania 15221, their successors and assigns, the privilege and license to construct, maintain and use at

their own cost and expense, a vault on a portion of the sidewalk at the intersection of Dornbush Street and Bennett Street in the 13th Ward, 9th Council District of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Mr. Hertzberg presented

No.274 Resolution the Director of Finance is hereby authorized and directed to provide for the reimbursement of funds to David Luxbacher and Sandra Mitsch for the cancellation of the sale of city property located at 806 DuBois Street, 20th Ward, in the amount of \$350.00 plus passbook interest for handmoney from 10-22-92 and \$75.00 plus passbook interest for title search fee from 1-8-93, chargeable to and payable from the three Taxing Bodies Escrow Account, No. 02314708, Department of Finance.---(SPONSORED BY MR. HERTZBERG)

Which was read and referred to the Committee on Finance.

Also,

No.275 Resolution authorizing the Mayor and the Director of the Department of Finance and the Director of Parks and Recreation to convey to Monongahela Connecting Railroad Company a parcel of property located between 25th Street 26th Street in South Side of Pittsburgh, as consideration for the acquisition of a parcels of land located between 21st Street and 24th Street in South Side of Pittsburgh, owned by Monongahela Connecting Railroad Company, and a bridge located at or on South 25th

Street owned by Monongahela Connecting Railroad Company.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Onorato for Mr. O'Connor presented

No.276 Resolution providing for the authorization of the Mayor, the Director of the Department of Public Safety and the Director of the Department of General Services, on behalf of the City of Pittsburgh, to enter into an Agreement, in form approved by the City Solicitor, to lease from Robert Wagner, Owner, a parcel of land and building located at 1555 Broadway Avenue, Pittsburgh, Pennsylvania 15216, in the 19th Ward of the City of Pittsburgh, for the purpose of establishing a Community Oriented Police mini station, for a term of one (1) year, commencing upon the execution of the lease, but later than March 31, 1993, at no rental cost to the City. The City will assume the cost of utilities, not to exceed fifty dollars (\$50.00) a month, chargeable to and payable from Code Account 1132-7, Index Code 113274, Utilities, Department of General Services.

Which was read and referred to the Committee on General Services.

Mr. O'Connor moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Onorato seconded the motion.

Mr. Onorato presented

No.277 Resolution CARRYING OVER balances or portions thereof remaining in certain Code Accounts for the year 1993 to the same or the other Code Accounts for the year 1994.---(SPONSORED BY MR. ONORATO)

Also,

No.278 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of One Thousand Nine Hundred Twenty Nine Dollars and Eighteen Cents (\$1,929.18) representing an adjustment to the initial payment required for unclaimed funds for the year 1985 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act of August 9, 1971, P.L. 74.

Also,

No.279 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Nine Thousand Forty-Two Dollars and Fifty-One Cents (\$9,042.51) to the Commonwealth of Pennsylvania representing the initial payment required for unclaimed funds for the year 1986. Pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Also,

No.280 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Twenty Four Thousand Six Hundred, Thirty Four Dollars and

Seventy Three Cents (\$24,634.73) representing the final payment required for unclaimed funds for the year 1985. Pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Which were severally read and referred to the Committee on Finance.

Mr. Onorato moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills was introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Also,

No.281 Resolution repealing Resolutions, approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh in accordance with Act No. 171 of 1984.

Also,

No.282 Resolution approving conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, to the Urban Redevelopment Authority.

Also,

No.283 Resolution approving conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection

Act", effective December 11, 1984 to A.H.I. Development Inc.

Which were severally read and referred to the Committee on Finance.

Mr. Smith presented

No.284 Resolution amending Resolution No. 710, approved June 18, 1992 entitled providing for implementation of Residential Parking Permit Program (RPPP) Area "U" in the Central Shadyside community pursuant to Pittsburgh Code Chapter 549, so as the amend the streets include in Area "U".

Also,

No.285 Resolution authorizing the submission of an application for Federal Assistance, a program description and certain certifications and the execution of a grant agreement with the U.S. Department of Housing and Urban Development for a grant in the amount of \$3,248,000 under the Home Investment Partnerships Program for Fiscal Year 1994.

Also,

No.286 Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh designating URA as the City's Agent for implementation of the Federal Home Investment Partnerships Program, providing for the disbursement of funds directly to URA and compliance with URA with Federal Home Program Requirements.

Which were severally read and referred to the Committee on Planning, Housing and Development.

The Chair presented

No.287 Resolution urging the Board of Commissioners of Allegheny County to adopt an ordinance creating the Allegheny Regional Asset District and levying the additional one percent (1%) Sales and Use Tax in Allegheny County pursuant to Act 77 of 1993 to fund the Regional Assets and provide financial relief for municipalities and citizens of Allegheny County.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded

The Chair:

Let me explain relative to this bill, this is the official municipal ordinance that we must pass if we are so interested, relative to the creation. I'd like to just read something very quickly, from the Commissioners.

On Thursday, February 21, 1994 the Allegheny County Commissioners adopted a resolution as required under Act 77 of 1993. The Allegheny Regional Asset District Act, indicating the intent to create the Allegheny Regional Asset District. This statute provides the proceeds from the additional sales tax, to be levied under Act 77, should be made available to local municipalities which meet the following criteria.

1. We impose an earned income tax at a rate equal to or greater

that 1/4 of 1% under the local tax enabling act and a real property tax, or

2. Impose a real property tax equal to or not greater than 75% of the allowable general purpose mileage rate under the applicable municipal code, or in a Home Rule Community, the code that municipality was governed by before the adoption of a Home Rule Charter.

Again, since the commissioners took the required action of February 24 of notifying the public of their intention to adopt the Regional Asset District Ordinance, a 60 day time period begins which any municipality in Allegheny County must act in order to become eligible for a portion of the proceeds of the tax revenue. This has begun.

So pursuant to this initiation I know Councilmembers have expressed varying levels of support. I'm certainly supportive of this initiative, I want to get it quickly on Council's agenda, get it voted or rejected up or down so we can move along quickly and meet the 60 day requirement.

Accordingly, although it's not required, I am scheduling a Public Hearing for March 15th, at 2:00P.M. I want the public to better understand what Council's prerogatives are, what this Regional Asset District is all about, why many of us on this Council and certainly with the leadership of Mayor Murphy have helped to bring this ability about. In terms of local tax reform and the needed revenues that we so badly are in need of for some of the Regional Asset

that we have funded solely from the operating budget. I don't want to miss any time frame, we want to move this along, and I do want to have a public hearing to allow for some community input.

I'm a little tired of a lot of the radio talk show pundits, and others who have really confused the public about this whole issue. Lambasting a lot of elected officials, who I think had a lot of guts to step forward and speak frankly with the public about a the financial predicament that we in the City and other municipalities, and we in the County are being faced with.

I'm looking forward to this public hearing, we will wildly circulate this information, so not only the folks that will benefit from the Asset District will be allowed to speak, but any others who stand in opposition. But again, I would like the public to be fully informed as to what this 1% Sales Tax actually means and what are the corresponding initiatives that we in City government will consider at the end of the year. Specifically the Amusement Tax, Personal Property Tax, and other issues that we will be deciding.

I apologize for that interruption, but I wanted to get this on the agenda tomorrow, so we can move quickly to the March 15th 2P.M. Public Hearing. If the public would like to speak on this matter, either in support or opposition to local City of Pittsburgh participating in the 1% Sales Tax Revenue plan, you have the ability to call the City Clerk at 255-2138, and you have 3 minutes to make a presentation.

Also.

NO. 288 Petition from the residents of the City of Pittsburgh requesting City Council to conduct a public hearing regarding the issue of proposed tire-burning at the Kosmos Cement Company on Neville Island as well as the City's lawsuit against the Allegheny County Health Department.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Onorato presented

Bill No. 289

Report on the Committee of Finance for March 2, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 146

A Resolution entitled, "Resolution providing for the issuance of a \$1,333.93 warrant in favor of Huntington Acceptance Company in settlement of claim for automobile damage.

Which was read.

Also,

Bill No. 193

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1453,

effective January 1, 1994, entitled "Making Appropriations to pay the expenses of conducting the Public business or the City of Pittsburgh and for meeting the debt charges thereof for the Fiscal Year beginning January 1, 1994", by making certain corrections.---(AS AMENDED)

Also,

Bill No. 194

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1454 effective January 1, 1994, entitled "Fixing the number of officers and employees of the City of Pittsburgh and the rate of compensation thereof, and setting minimum levels for designated positions" by making certain corrections.---(AS AMENDED)

Which was read.

Bill No. 232

A Resolution entitled, "Resolution authorizing and directing the Mayor and the Treasurer of the City of Pittsburgh to amend the Pittsburgh Form 40, Earned Income Tax Form, to include a "check-off" box to allow a donation to the Food Pantry Trust Fund.---(AS AMENDED)

Which was read.

Also,

Bill No. 253

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Food Pantry Trust Fund, for the deposit of

contributions received from the Pittsburgh Earned Income Tax Form 40 "check-off" box, and authorizing the distribution of these funds to the hungry through the Department of Planning.(AS AMENDED)---(Sponsored by Mr. Ferlo)

The Chair:

Is there any discussion on the bills?

Mr. Ricciardi:

Once again, I would like to commend our colleague Mr. Alan Hertzberg for his innovative legislation which would increase the pool of candidates, no pun intended, for our life guards this summer. Hopefully our pools will not have to close early and we can keep them operating throughout the summer months.

I believe the legislation before us will allow Teachers or other employees of the Pittsburgh School District to take advantage of our summer employment program for life guards. So once again I think it's a good idea and it's a good move from the new chairperson of Parks and Recreation Mr. Hertzberg.

The Chair:

I appreciate your comments, just to clarify we did give final approval to that Bill, I know it may be in your agenda but we moved it in final action last week when we voted on the other legislation in special session.

Mr. Hertzberg:

Just want to remind everybody we do have a Post Agenda meeting

today on that topic. We're trying to stay on top of it, and I would appreciate it if everybody can try to attend the Post Agenda meeting on the life guards and the swimming pools.

Mr. Cohen:

I would like to also congratulate Councilman Hertzberg on his initiative, we've been looking for creative solutions to this problem and he has given us one.

I know that he is taking the lead in solving it for the end of the summer of 1994. I look forward to the Post Agenda.

The Chair:

Any other comments.

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeable to law, and were:

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES 7 NOES 0

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Hertzberg for Mr. Darkins presents

Report of the Committee of Public Works for March 2, 1994,

Transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 226

A Resolution entitled, "Resolution further amending Resolution No. 1455, effective January 1, 1994, entitled "Resolution adopting and approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program; and approving the 1994 through 1999 Capital Improvement Program;" by adding a new line item, Code Account 4-01-10-0184-94, Wayfinder Signage Program, Index Code 308106 in the amount of \$1,500,000.00.

Which was read.

Also.

Bill No. 227

A Resolution entitled, "Resolution providing for a Contract or Contracts. or the use of existing Contracts for a Wayfinder Signage Program throughout the City of Pittsburgh and other work incidental thereto and providing for the payment of the cost thereof.

Which was read.

The Chair.

You've heard the reading and the title of the Bills, is there any discussion.

Mr. Hertzberg:

Regarding the Wayfinder Signage Program, when that was first brought up and introduced to us I was very dismayed to see that the universal symbol didn't seem to take in the Western part of the City. But I was elated that within a week they re-designed it and it meets very much with my approval now.

The Chair:

Any other comments. Hearing none the bills are now ready for final action.

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeable to law, and were:

AYES:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES: 8

NOES: 0

And a majority of the votes of Council being in the affirmative the bills passed finally.

The Chair:

Mr. Cohen earlier on unfinished business I asked on TCI if we could come to some agreement shortly on a schedule with the evidence from your hearing with the joint meeting of Council and the Cable Communications Advisory Board.

Mr. Cohen:

I have had several discussion's with David Wormser, our Consultant on this, and I've asked him to engage TCI in negotiation on precisely that point. Only dealing with the schedule, as you know the FCC has come down with a new press release, saying that there is going to be a 7% drop in the bench marks. That have not yet issued the regulations that go along with that announcement.

Rather than have 2 hearings, I thought it would be best for all involved if we just had 1. But, and this is a big but, I feel that we should only do that if TCI is willing to agree that they will not implement their new rates until that whole process is over. That's the negotiation that Mr. Wormser is now engaging in, he's going to get back to us very soon on that. Assuming that is agreed upon, then we would have 30 days from the time the FCC issues its regulation to have a hearing, than another 30 days for him to present his report to us. I think will hear about whether that happened very soon.

The Chair:

Please send me an advisory as quickly as possible, so we can schedule the joint meeting. We do want to meet the time constraints, but we do not want TCI's rates to be approved without the proper scrutiny and vote of this Council.

MOTIONS AND RESOLUTIONS

Under motions and resolutions I would ask support on the following two. I will ask the City Clerk to read the appointments.

The Chair presents

Bill No. 291

Resolution appointing the Honorable Joseph M. Cusick, 2315 Fremont Place, Pittsburgh, Pennsylvania 15216, as a member of the Allegheny County Sanitary Authority for a term to expire December 31, 1997.

Which was read

Also,

Bill No. 292

Resolution appointing Ralph R. Horgan, 3917 Brighton Road, Pittsburgh, Pennsylvania 15212, as a member of the Allegheny County Sanitary Authority for a term to expire December 31, 1995.

Which was read

Is there any discussion on the bills?

The Chair:

By way of clarification obviously Councilman Cusick would very much like this Council to be represented on ALCOSAN's Board. I think he would be a star on that Board. More importantly a lot of the issues this council has struggled on in the last many years, especially the Saw Mill Run issue and others are in Mr. Cusick's district. I think he needs to be there voting, as well as meeting with Mr. Onorato and others from the North Side relative to the problems in Brighton Heights and some of the issues that this Council has talked about.

The other gentleman is currently on the staff of the Mayor's Office, he is actually filling a void, as a general matter of policy, the Mayor in the past has recognized the recommendation of the local Citizens Council, in this case the Brighton Heights Federation, for a suggested appointment. I would ask that we please move on these today.

I am personally a little upset at my former colleague Mr. Wagner, who is continuing to occupy the board seat, that rightfully should go to an elected member of this Council. I don't think it's fair and just want to publicly chastise him for not giving that seat up. He's there by virtue of his elected position to this City Council, he's not there by any other standard.

If I left office I would no longer want to serve on the Housing Authority Board. It would be fair that a member of Council rightfully be the appointed representative. That's causing a little bit of a problem, because there needs to be a full complement on that Board, not only from Brighton Heights Community but others who have expertise and a contribution to make, that the Mayor or the Commissioners could recommend.

Mr. Ricciardi:

I'm in full support of Mr. Cusick, It will be an honor to vote for him today. I do have a question regarding our other nominee, which was recommended by the community based organization of the North Side. I'm just curious if that recommendation was made before or after Mr. Ralph

Horgan accepted employment with the City of Pittsburgh.

The Chair:

I called the President when I received the information from the Mayor's Office a week ago, I called the President of the Brighton Heights Federation, he made it clear that there was a selection committee of which Mr. Horgan and others actually went through an interview process. That approval was actually granted prior to Mr. Horgan coming on board and paid staff of the Mayor's Office. They continue to request that Mr. Horgan sit on the board representing their Federation.

Mr. Smith:

Just quickly, it is my understanding that we have no authorization of the Mayor's appointments to ALCOSAN, so I am asking the question? That he has the full right with no Council oversight from the way I understood the rules, for the formation of the Board. So is this just us giving a resolution of support, or do we believe we are actually authorizing their appointments to the Board.

The Chair:

I think we need a clarification on that, my motion is that the motion be made from the floor, that a motion to receive and file these appointments.

Mr. Smith:

Then we are not voting on saying Yea or Nay on either individual. What we are saying is

that this is the Mayor's decision and we are going to file and so note in our records as to whom has been appointed. Correct?

The Chair:

I want these approved so these two gentlemen can quickly move to take their seat on the ALCOSAN Board. It can be done under a motion to approve by resolution, it can be a motion to approve the read and adopted, whatever you like.

Mr. Cusick:

I just want to thank the other members of Council for their support. My district has for some time worked on the Saw Mill Run Creek and the new sewage system that's going to happen. They just voted recently on a \$30,000,000.00 project out on Saw Mill Run. I look forward to getting involved and taking on other matters of the City as far as ALCOSAN goes. I thank you very much for your support today.

The Chair:

Any other discussion on this motion. All in favor of the motion? Those opposed?

WHICH MOTION PREVAILED.

Mr. Onorato:

As the continuation of last Tuesday's motion, first let me say that I want to thank everyone for writing or calling my office, both for and against the proposed resolution, that I put up last Tuesday. There have been interesting points made on both sides, I respect their view, I

don't agree with everything that was said, but I agree with some of it.

I also want to make clear, that I think it's very unfortunate, the Headline that I read in the Pittsburgh Courier, with my name and Councilman Ricciardi's name, I think it's very unfortunate because I was never called to even comment on what was said, yet there were all kind of accusations thrown against my name, by individuals who sent letters to my office and all our offices, and the paper. All I would ask for is at least fair coverage and I don't think that's asking for too much. I was not contacted to respond, yet things in there that were said about me could have been easily cleared up or at least let me have a chance to respond if it was true or not.

We didn't have that, so I'm taking advantage of the situation I have today, to clarify my motion and my position again.

In no way did I intend or do I believe that this is a racial issue. It's an issue that faces all of us, and I would be first to say that the worst thing that could happen to the City is try to divide it along racial lines. I would just put out an offer to the Pittsburgh Courier to call my office and, I would be more than happy to give them at least ten names in the African-American community that I deal with in my district. Let them talk to them and ask them what we're doing, because none of that was covered, particularly even with the Nation of Islam and when they patrol some of the areas.

North Side is actually

Christopher Smith's district, but Brighton Place has former Nation of Islam individual's, they changed the name a little bit now, but their down there patrolling the streets daily. Or Harriet Henson and the North Side Tenant Reorganization who are taking over several hundred units, and I was in full support of that. I stated that here in Council months ago, and Harriet is a good friend of mine, and I think it a great idea. If the Housing Authority can't proper police certain areas, I think we have to think new ways.

I think my colleagues know very well, I bring it up every budget time, and every time a big bill comes through with authorization going to the Housing Authority. The first thing I bring up and the first question I always ask is, where is the security component, and I don't mean hiring Housing Authority police. I always offer should we get more creative, become more creative, and think about having the Tenant Organization's, the Block Watches, Citizen Council's, offer us ideas as to how to patrol these areas, and how to secure the investment that we make.

Once again, none of that gets reported, people like to draw this down the racial lines and I think the newspapers and the Courier were just as guilty at flaring this up for not having fair coverage.

Stating that, my position on the Summit is still the same, I don't think we should be inviting the National leaders to this City. I received you packet Mr. President, and all the letters attached against my motion. But I also have letters here form

Jacques Kahn, the downtown people who agree that it would be bad for the image and it's just bad for the City of Pittsburgh to be hosting this kind of a summit.

We could go back and forth on pros and cons, and we can all come in with as many letters as we need. The only little change that I will make today, is that last week I asked this Council to support sending a letter to the Mayor asking him to not acknowledge or to participate. I don't know, we can pull the record, I don't remember anyone here suggesting that we were going to block anyone from coming here. I remember specifically stating that everyone has a constitutional right to appear here, and to say whatever they like. We can't legally block that and I said that last week, and that was not my motion.

I read it everywhere in these articles that Onorato wants to block the group. That was not what I said. I said that I don't think the City government should participate in these discussion's and we should not greet them with open arms. That's what I said last week, that's what I say this week. The only difference here is that Mayor Murphy has already stated that he would prefer there were a different location, but he recognizes legally he can't stop anyone and I agree with him.

I'll just change my motion to reflect this Council body, that I am a member of, and I will make the motion that we as a body representing the City do not recognize this type of a summit for whatever reason, if it be because you agree with me that we shouldn't bring on the national

leaders from those cities, or if you have a problem with the guest list or guest speakers. I don't think this is what we need and I would make a motion that we don't support that.

Additionally, I would like to add that I'm in full support, and I think this Council should get behind it, and I think the Mayor should get behind it, of having a summit, but this type of summit, with the Block Watches, the Community Groups, the Tenant Council's, which currently goes on with a lot of the representatives in this room. I know we go to these neighborhood meetings, and with the police and some of the local troubled kids. Now we stressed local, were not putting our head in the sand, we all know we have a problem here like other Cities.

Let's deal with our problem here head on, let's sit down, let's open up discussion, but we do not have to turn Pittsburgh into the national centerpiece for the national debate on gang violence. Let's deal with our problem here, we have a lot of good people fighting that. I would ask this Council's support me on that motion that we do not participate or welcome the national summit here in Pittsburgh.

Mr. Ricciardi seconded.

Mr. Ricciardi:

First of all my position remains clear, and has not changed. I am in full support of the motion put forth by Mr. Onorato.

As I've stated last week and during the week with either constituents or the media. I obviously support the right for freedom of assembly and freedom of speech. Freedom of speech also gives us the ability to send our position. Our position should be and hopefully will be that the City of Pittsburgh in no way accepts or recognizes a summit of this sort.

Do I deny that we have gang members and gang activities in the City of Pittsburgh, the answer is no. Do I believe we have to work with those gang members that have not broken the law, the answer is yes. Those gang members that have broken the law here in the City of Pittsburgh I think we have to tread very harshly through our judicial system. However, do I see it being beneficial or productive to have a gang summit here in the City of Pittsburgh, that is to invite gang members, not former gang members, I've also made my call to Kansas City, but to invite gang members from cities such as Los Angeles, Miami, Detroit here to the City. How would that benefit us, I don't see the Crypts from the City of Pittsburgh fighting the Bloods from Detroit. I don't see how that in any way is going to put down the violence that is happening here.

Also, let's look at the image it portrays here for the City, and can we protect the personal safety of our residents. Down here at the Y, between our own gang members we had great difficulty in quote, "having a peace meeting" and violence broke out. Can we control that type of setting, and am I willing to take that chance, the answer is no.

Let's look at the image that it portrays for the City of Pittsburgh. If your a family or if your a business and your thinking of relocating to the city of Pittsburgh, are you going to have second thoughts if you hear there is going to be a national gang summit. I believe the answer is yes, and it almost occurred.

I was contacted by the chairperson of the National Association of Neonatal Nurses here in the City of Pittsburgh. They are having a conference in May, this is a good group of people, we know what the infant mortality rate is here in the City of Pittsburgh, especially among the African-American community. This group considered canceling their conference if it was on the same weekend of the National Gang Summit here in the City. Fortunately through a few phone calls, I was able to find out that it's not on the same weekend. But we almost lost 300 professional nurses, coming here to the City with prominent speakers to discuss a nationwide problem, especially a problem that affects the City of Pittsburgh, in our very disgraceful high infant mortality rate. That would have been a disaster if we would have lost this group.

So if this group was able to stand up and tell the truth and be honest, that they would cancel their conference if it were on the same weekend, I wonder if there are other groups, families or business's out there. If you read Jacques Kahn's letter he brings up a very good point. That is will this in any way hurt our image in terms of business locations and others coming to it.

I in no way, no article, no paper, would ever get me to retreat from this position, and that is the lead speaker Minister Farrakhan. The question is, and especially this past week, I've read a lot of his things. Mayor Murphy and others have stated it, I don't believe this person brings people together. He divides people along race, he divides people along ethnic and also along religious grounds. If that is their keynote speaker, if that is going to be the direction they plan on going into, well I have a problem with that. Obviously freedom of speech, Mr. Farrakhan can come to the City of Pittsburgh, but again, I support the courageous position of Mr. Dan Onorato and that is that the City of Pittsburgh in no way recognizes or takes part in this type of conference.

Am I willing to work with the young people at risk, absolutely yes, am I willing to work with even gang members, to bring them together, absolutely, but let's keep this in mind that if this type of conference in the City of Pittsburgh hurts our image in terms of bringing in new businesses, new families, or new conventions, who is going to be hurt. It's not going to be the gang members, they're not paying taxes, it's going to be the law abiding tax payer here in the City of Pittsburgh that going to have to foot additional bills, or additional taxes because the tax base continues to erode.

The bottom line is sure let's work with our people here. But in any way to reach out to a National Gang Summit, I think would be wrong, and I think we have to stand up and take that position.

I think the detractors can throw any types of names they want on Mr. Onorato or myself, it's no problem. I am very very comfortable in my position, do I want these people here in the City of Pittsburgh, that are still gang members, the answer is no.

If I heard there was a gang summit here I would think WOW what problems they must have. They have to have a national gang summit in the City of Pittsburgh. Bottom line, in brief, in summary, sure let's work with our kids here in the City of Pittsburgh, even the gang members, but lets not in anyway reach out to the Crypts of Detroit, the Bloods of Los Angeles, to the Latino's and Jamaican gangs of Miami and bring them in.

I have spoken to police officers on this, and they are very concerned, what happens if a leader from a gang from Detroit, for any reason is beaten here in the City of Pittsburgh, or even worse, is slain here. Either from a person on the street, another gang member or justified homicide from the Police Department. This comes from a police officer, they are very concerned. Don't you think these other gangs from the other cities would have to come to town, in order to save face, and for revenge.

We're getting ourselves into something we shouldn't be in. I would feel more comfortable if we would support Mr. Onorato's courageous position, and that is use our free speech and say Mayor Murphy please don't recognize them, don't take part in any of their activities. It's a very simple motion put forth, and I thank my colleagues for their time.

The Chair:

I appreciate some of my colleagues who are concerned about the image of our City, and I think we are all concerned about that. But, I am also concerned about the carnage that goes on in this city everyday in neighborhoods throughout the city that we represent.

I think the motion is not only shallow and suffers from myopia, I think it obviously lacks any leadership and creativity. I guess I come directly from the opposite point of view.

Last week I was trying to remain a little even tempered in the debate, discussion and dialogue, because I only knew a little bit about the motion in terms of the so called Gang Peace Summit meeting.

In the week that has followed, I have attempted to learn a lot more about the dynamics of this summit meeting. Whose actually involved, what the genesis of this meeting is, and what the aspirations and the hopes of many of the progressive individual's that are behind and attempting to work and bring dialogue and discussion together.

Quite frankly I think the motion is downright arrogant, I think it's outrageous that this City Council, talk about being comfortable in our position, has the guile to tell individuals progressive within the community, especially in the African-American community who are living with the crisis and carnage everyday. They come forward and attempt to deal with leadership and creativity with the kind of crisis they see

daily on the streets and in their neighborhoods.

Last week I was certainly not in support of Mr. Onorato's motion, because of what I understood it to say, this week having understood a little bit more about what the intent of the conference is, I'm a little bit ashamed that this City Council and local government is not a part or being in support of the Gang Peace Summit.

I personally would be offering any support I have, as an elected official, to assist this group and this meeting, with this dialogue, and this discussion. I for one think we should be passing a motion in favor of the Gang Peace Summit, and what the aspiration's and hopes of the individuals are.

I'm going to take a little time, because I want to read some letters, and get the discussion out.

I received a letter from Connie Portis, I think it's important to read a couple of these and again we're in no hurry to leave this room. I think we need to argue out this discussion. I think that the polarization that's taken place in the community and the city and even in these chambers as I look out in the audience today, is very disappointing I think we should deal with it and come to grips with it.

Mr. Onorato:

It's kind of unusual to have the President speak before everybody had a chance here, but that's fine. I would ask one

thing in my point of order. If your going to read the letters, I noticed you package did not include the Jacques Kahn letter which was given to your office. I would hope that you have fair play on your readings.

Mr. Chair:

I would hope that you take an opportunity to read that letter if you have it.

To members of Council, and this is from Connie Portis from Renaissance Publication. It is not often that policy makers and citizens get the opportunity to share equally and simultaneously in finding the solutions to societal ills that plague our communities. Generally one group approaches the other to make changes, to see a side of the issue. I find it appalling, shortsighted and racist that you have taken the position to insight hysteria surrounding the Gang Peace Council to be held here in Pittsburgh, instead of welcoming the opportunity to learn how to participate in the healing of a segment of society that is clearly reaching out for new meaningful direction to fully participate in this society.

Whatever the consequences of this summit, I believe we have a duty to the citizens of our community, specifically the African-American community, to gain as much knowledge about the gang culture as possible. And, the Gang Peace Summit is perhaps our best opportunity to learn.

If we do not only accept that this summit is coming here, and participate as much as is allowed by outsiders, then clearly you have proven that there is a

dichotomy in your political behavior that reeks of racism and cowardice on one side, and talk of working together to find the solution on the other.

I believe that the only limitation to find a solution on any problem should be a compromising of ones moral and religious beliefs.

To be open to the summit is not a compromise, from your behavior and others in our communities, it seems as though we are morally against and effort to promote civilized discussion toward peace, and that our religious teachings promoted lofty position and purveyed us to walk among the people to help them.

A letter from Paul Wahrhaftic who I have known for many years, very active with the Conflict Resolution Center, does a lot of crisis conflict, complaint mediation in neighborhoods.

I am concerned about Councilmembers opposition to the upcoming Gang Peace Summit. They missed the essence about what this is all about when they omit the term Peace from the title. We heard the same fears a year ago when the first Gang Peace Summit, fully titled the Nation Urban Peace and Justice Summit, was held in Kansas City.

The fear was understandable, society is rightfully frightened by gang violence and wants desperately to do something about it. In Kansas City they did do something about it. Gang leaders from across the nation came together in a carefully structured atmosphere, and an intense emotional atmosphere. In tears many threw down their colors,

apologized to each other and their women, and began a peace movement which is now coming to Pittsburgh.

Since then regional summits have been held in Cleveland, Detroit, and Los Angeles. I am enclosing two background readings to help you understand this movement better. First is our own publication, Conflict Resolution Notes, with a first hand report on the Kansas summit, and my article putting that experience into an international content. Secondly, is a recent article on the Cleveland summit.

So I am proud that Pittsburgh is being looked to, as a host for the Gang Peace Summit. As President of the Conflict Resolution Center, International, I am honored to serve of the steering committee for this meeting. Our center serves as a link between this peace on the streets movement, and the international experience in resolving threatening social conflicts.

Will peace come over night, no, is the process smooth and risk free, no, Palestinians and Israelis show us the peace process is slow and torturous, but the risk are lower than not if the authorities in making this work don't participate.

As a Jew participating on the steering committee, I have been pleased with the active participation of Pittsburgh's nation of Islam representatives. They have go out of their way to demonstrate inclusiveness and respect for all participants regardless of race, gender or religion. I respect their

decision to invite Louis Farrakhan, for he is a leader the youth want to hear. I am confident that they will work with the rest of the committee to structure the summit, so that values and respect and reconciliation predominate.

We at the Conflict Resolution Center are available to help find ways for the Gang Peace Council and the City of Pittsburgh to collaborate to reduce the gang problem here.

I have many other letters, including one from the NAACP, which you have before you. I just want to state very clearly, the issue is not Louis Farrakhan, or Rev. Ben Chavis, who I know very well and who is a dynamic leader, been through a hell of a struggle in his life. He is now the President of the National NAACP, he has a lot to offer, he has an ability to speak to a lot of the young people who probably none of us in this room could begin to sit down with and have that kind of dialogue.

Councilman Smith indicated last week that he has begun the process of trying to do some outreach and speak with some of these young people. I think we've got to do some soul searching and talk about this. Again, lets put this meeting in context, I think it was unfortunate, I think the NAACP is right in it calling a knee jerk reaction. I jokingly accused my colleague Mr. Onorato of having a, what I referred to as a, senatorial oratorical infectious disease, and that's a disease that's pre primary and I think it's unfortunately affected his two colleagues to the right. I think it is important that we

get out on the table all the issues. Let's talk openly about the issue, let's speak not only passionately about the values, let's talk frankly about the issues that I think in the weeks past have tended, as Mr. Onorato himself says, have polarized us when we're not really talking about what the issues are at hand.

Mr. Cohen:

Just a Point of Order Mr. President, I can see the direction that this is going. Before this is over we're going to need a Council Peace Summit. We need to respect each others point of view, and be able to have everybody make a statement here without any kind of polarization of this council, and I would appreciate it if that would happen.

Mr. Onorato:

I agree with everything Councilman Cohen said, until there is a personal attack to me, I will respond immediately and I will continue to.

Mr. Cohen:

I wasn't responding to any particular Councilperson, I would just like to have a free flow here, and be able to all have a chance to state our position.

Mr. President, let me begin by stating, that whatever decision this Council makes on this issue, it will have no effect whatsoever, on whether or not the Gang Peace Organization comes to the City of Pittsburgh. More over, it's a motion to tell the Mayor to do something that he has already said he will not do.

Since this issue was raised in this Chamber last week, it has taken on a life of its own, and one that is polarizing our city along racial lines. We have got to stop dividing this city by race, and begin searching for meaningful solutions to Pittsburgh's crisis of crime and gang activity.

My number one concern as chair of the Public Safety Committee on Council, I have worked hard to put more police on the street and better policing in our neighborhoods. I strenuously oppose gangs and gang activity, but in my view, if you believe in law and order in the City of Pittsburgh, than you should not support this motion. From everything that I have read and learned in the past week, this Gang Peace Summit does not glorify gangs, it glorifies peace

In every other City where it has been held it has resulted in a decrease in gang violence. Their agenda is to end the killing and rebuild our urban communities. Every session opens and closes with prayer. As one participant said when he stood up at the Kansas City meeting, we are tired of seeing our mothers come to the grave yard.

I am totally confident in our Police and Police Bureau to insure that there is no threat to public safety while this gang peace meeting is taking place. But there is a chance that gang violence could decrease not just in the short term but in the long term.

We have go to do everything we can to remove the attractiveness of joining a gang, by making it

attractive to work hard, to study hard, to live by the rules, and to try to save this generation which is at risk. We need to give hope to the 13 and 14 year olds that have this romantic, but tragically mistaken idea that joining a gang is a way to success. We all know that joining a gang is a dead end, and we need to say to these youngsters that joining a gang may seem glamorous, but it's a path with only two possible destinations, a jail cell or a funeral.

Those gang leaders have the ears of these kids, like I wish that parents, clergy, teachers, and responsible adults did. I want to encourage these veteran gang members, if they are really serious about peace, to impress upon these kids who are on the edge, to stay in school, to stay away from drugs and gangs and become responsible members of our community. Some may cynically say Mr. President, what's the use, that there is no hope for these kids, but we can't give up, we have to try everything that we can to provide hope. We owe it to ourselves, we owe it to our kids, and we owe to the future of Pittsburgh.

Mr. O'Connor:

Obviously I think all of us support the idea of dialogue, I hope we aren't dividing this Council and this City by what statements are being made here today. Obviously we have a problem, I show concern whether we need outside intervention to bring it to light. Obviously, we on Council over the last two years have initiated many programs, both education, sports, and we put a lot of police officers on the

streets, in both housing projects in my district and all over the City,

The City does not, nor does it require the likes of Mr. Farrakhan anymore that it does David Duke coming into this city. He supports bigotry, hate and intolerance. Mr. Farrakhan's ideas in regard to race relations are offensive to many of those who must come to the peace table. His views are contrary to those who have struggled long and hard against racial issues and religious. He has on many occasion extremely been offensive to Catholics, which I am one, I represent and am married to a Jew, and he's very offensive to the Jewish religion. I feel we do not need him in this City. We should not welcome Mr. Farrakhan in this City, he is not welcome by those who work hard for peace and justice.

I want to make a motion requesting that Council adopt a resolution supporting this issue of not bringing Mr. Farrakhan here, I think when we do that then we might be able to move on to the next step.

Mr. Ricciardi:

Obviously with all due respect to Mr. O'Connor and as I think as you just stated, we do have a motion on the floor, and we have to take action on that motion, before other motions can be put forward.

The Chair:

I don't know if Mr. Onorato would consider that a friendly amendment, if not I'm going to rule that we deal with Mr.

O'Connor's issue at a latter time, and that we stick to the initial motion that Mr. Onorato has articulated earlier.

Mr. Cusick:

I am very appalled that we are even discussing this matter. Especially the amendments or motions of Mr. O'Connor. I don't think and body or any person has the right to tell who can come into this City. I do not like what Mr. Farrakhan stands for, but he has a right as much as this Gang Peace Summit has to be in this City. I don't think it is a matter that this Council should be dealing with, I am appalled to even be a part of this body.

I will be there to work with them, and I hope the rest of the members in this Council will be there to work with them also. I spoke to Kansas City, I spoke to Cleveland, they said it was a positive experience in their City. Cleveland told me there was a drop in their gang related deaths. The tone and influence and message was outstanding, I just asked that Mr. Onorato remove his motion from this floor and we continue with the business of this City like we were elected to do.

Mr. O'Connor:

All right, I can hold my motion until the end of this discussion. I'll be brief, I think I heard that were going to go back and forth, and make a lot of news media, which the old years ago Council was very good at. I think that this started possibly with some peoples emotions and beliefs. I think it's time we take some leadership, and I'm asking you Mr. President, to take

that leadership which we elected you for, and we've seen in the past that you are capable of doing.

I think you should call the Mayor today, we as a body or group should meet with the Mayor and see what direction this City is going own its own. We have a youth commission which you started over a year ago, and I know that you fought for and it went no where, I don't know if it has a sense of direction right now.

I think it's time we get together and set a policy on what direction this city is going. Whether this 2 or 3 day gang summit does or doesn't come here is irregardless, we are here in the long term, I was born here, I'll die here, we have a lot of work to do. I suggest we get together with the Mayor, set the policy, bring in the proper people, there are a lot of good people in this city working for these causes. I noticed that Rick Cobbs is on the front page of yesterday's paper. These are the type of people we should be bringing together to solve the problems of this city.

I do question whether we should bring outsiders in, I'm not questioning outside legitimate speakers, educators, people who know how to deal with this situation. I don't know if we want to bring 29 members of gangs all over the city. But, I'm asking you, before this discussion goes much further, before it becomes a media event, that divides our city and our people, whether it be racial or religious lines, that you call a meeting today with the Mayor and let's set some policy and what direction we

want to go. Maybe we can support this, I have questions on it, we should make it clear and make sure that Pittsburghers do not have the L.A. and New York, Chicago gang problem.

The good that can come out of this is that it is bringing to light the problems. I just went through it at Allderdice, I spent 3 days in that school, there are tension and problems. If you talk to the youth of this city, they know how to deal with the problems, black and white. They're willing to sit down and talk, I think we better start right on our home base before we get to far gone here.

I don't know how far we want to go with this today, but please call the Mayor and set a policy, and set the city in the direction. For the last 2 years we've been floating, and I think we have all agreed to that. We as councilmembers have been going in different directions. I think with your leadership and the new administration we can set a good course to solve all the problems of the people of this city.

The Chair:

Thank you Mr. O'Connor. I think your plea is well taken, and on the mark, I will communicate with the Mayor today that we would like to meet quickly and review the issue of youth policy matter, and some of which you've spoken about.

Mr. Smith:

This issue has done exactly what I think was wanted. It has now taken 8 days of the public

attention away from the real issues. It is preying of the fears that are perpetuated by the media. This council took away Community Development Block Grant Funds, redirected them to a police empowered state, and we have seen a rise in murders.

When the black community wishes to empower itself to come up with a solution, within their community, we are stepping in, we have never stepped into any convention that has ever been held in this City. To my one colleague who wishes to discuss the monetary change that he believes this would effect, these kids and adults and agencies are not going to come here for free, nor will they not be eating while they are in our City. Nor will they have free sleeping accomondations, they are a convention coming in to share information, and they will be leaving their dollars in this city. So if that's Mr. Kahn's fear, life's rough, because we do not issue anything about the other conventions.

The other thing is I am proud that this City is taking the step to be progressive enough to reach out nationwide for a problem that affects the nation. Not burying my head in the sand and saying, I've got to keep it here at home. It's everywhere, it is everywhere and I am proud that we are reaching out. The thing that is most important, and I think we need to clear the air, is that this issue has a whole cloud of racism that should not be there, because we should not be about the business of issuing negative or even positive things that affect the lives of individuals in this city.

It is our job as elected officials to give leadership, to follow behind people who have solutions when we don't have them. This Council has not and neither has any governmental body yet to come up with a resolution of the gang problem, and it is time now for us to follow those who believe that they have the track.

I am encouraging my colleagues to please let us not send the image that the Mason-Dixon Line is 50 miles north of Pittsburgh, instead of 50 miles south of Pittsburgh. Let us continue working together as blacks and whites for a solution to the problems that don't affect just black people or just white people, but all society. Blacks were freed in 1872 have a right that has really not stayed with us from 1872 and the issue now is can we bring ourselves into self empowerment with the support of the white establishment, not with any objections of the white establishment.

Mr. Hertzberg:

I have tried to take this in very carefully and give it great thought. I appreciate and I agree with the comments of every one of my colleagues, including your comments that you can run but you can't hide, I agree with you. I agree with Mr. Smith, we can't bury our heads in the sand, I agree with some of the written commentary that some people are making statements that really have not been impacted by some of the violence. Personally I have not been impacted as bad as some of the other people in this city, although I have personally suffered injury myself.

I wasn't quite sure what to do, particularly when I found out the Louis Farrakhan in fact was invited to be a speaker at this convention. And, in all likelihood will attend or at least wants to attend this meeting.

We are all proud of our heritage I think, whether your of Italian, Irish, Africa, or Jewish Heritage. Although I don't practice the Jewish religion, most of my ancestry is Jewish. I discussed Louis Farrakhan with my mother last night, and that is the only reason I will be voting with Mr. Onorato for his motion. That is because of Louis Farrakhan and because his invitation to this particular summit has not been explained to me in any satisfactory manner what so ever.

I'm going to read the letter from the Conflict Resolution Center International relative to Louis Farrakhan. It says, "I respect their decision to invite Louis Farrakhan for he is a leader the youth want to hear." I have two young kids, they'd like to stay up every night, they'd like me to buy them a toy every time they go into the store. I'm sure every single youth that goes to this convention would like a thousand dollars, you can't give them what they want all the time, explanation. I will be voting with Mr. Onorato.

The last thing I'd like to do, is challenge all my colleagues and challenge the members of the media that are here. Because immediately after this meeting when we adjourn, we're having a meeting on something positive, and that is something positive for the young people in this city and that's our swimming pools and

lifeguard situation. I would call on all of you to wait until we are done with that meeting before your engage in any discussion on this matter in front of us now.

Mr. Onorato:

I'm going to echo something Councilman Hertzberg said, first of all I agree with possibly 90% of Councilman Smith's comments. I agree with a lot of your comment Mr. President, but obviously not all of them. I guess where we part ways is that this body has historically, and Mr. President you probably have more than anyone here, put controversial resolution in front of us to vote on. We don't always agree, they didn't always pass, but we've had resolutions here from trying to accept and deal with Fidel Castro, to not wanting to see Casper Weinberg come to this city and speak.

It was always here, so I disagree a little bit with Councilman Smith, this body has taken positions before on people or groups that come here and are controversial. So to portray it that way is unfair, because everyone here, except maybe the new members, can recall controversial votes we had to make on resolutions. That's what this body is for, its the discussion time, and I don't think anyone's resolution should be shot down because it happens to be controversial.

I still think it is very unfortunate that this is being portrayed on a racial lines, Mr. President you said, adamantly said that the motion was arrogant, was shallow. I personally feel that your position is very very easy to

take today, after the seven days and after all the letters we received. It's very easy to take the position you did today with the backing.

Know what I would ask, I would agree with Councilman Smith, let's rip the letter up from Jacques Kahn, let's rip the letter up from the NAACP, let's rip it up from the Conflict Resolution, because you know why, those members, members in this body, we're not the ones living in these neighborhoods. We all say we want to help and do things, you are probably right. Jacques Kahn might have some interest, NAACP, I would like to see where all the board members live there. But you can have people on both sides of this issue fighting it, and they are just as guilty as anyone here trying to make this a racial issue.

My point from the very beginning was not to stop anyone from coming here, it was a personal position I am taking, and I brought it up on this floor for a vote. Is that I don't think it's a good idea to bring in national gang leaders to a summit. I still feel very strongly about that, and no way do I look at that as a racial stance, or against the African-American community. I stated at the beginning and I'll say it again, we can start or continue it, I should say, because we are doing it in this room, I know every member is doing it, is to continue dealing with the neighborhood reps and the people who live in these neighborhoods where the crime is a little out of control. To continue doing that right after this meeting, and I know we will do that.

That wasn't the issue in front of us, in no way would I support anyone trying to put a road block up from someone coming here to speak. That is illegal, it's against the constitution, and I would never want to squash free speech regardless of how offensive it is to any one. I don't support that, I believe in free speech, what my motion was, that I don't think a government body should participate in this type of a summit, because I don't believe in the national leaders or any of the speakers who are being invited. I don't think it's productive, I'll go on record and this is just on my personal contact with the neighborhoods I represent. I think there is a lot of individuals out there, I'm not going to read the letters here, I'm talking about residents, both white and black that are opposed to the national leaders coming here.

For anyone here to think that the NAACP or the Conflict Resolution letter, that any group speaks for the entire African-American community that's a hoax, because nobody speaks for one group. Just like no one speaks for the entire white population. There are different ideas there are different philosophy and different ways of looking at things across the board. We have conservatives, we have liberals, we have different ideas across any ethnic background, across the racial backgrounds.

I still feel committed and I feel very strong that this is wrong way to do it by bringing in the national gang leaders. I'll tell you what, it's very difficult to take that position today than

it was seven days ago. It's easy to sit up there and pound the table, and say how you think this is arrogant and shallow, because the letters come in, I see them here, and I could have easily come in today and said I'm changing my mind. I am not changing my mind. This isn't against any particular ethnic or racial group, this is against bringing national gang leaders to speak in Pittsburgh. I don't think it's right, I don't think we should participate and welcome with open arms.

You and I disagree on that point, that's fine we can leave this room. What we do agree on is that we should be working these neighborhood, which we are doing, and we should continue to do, and let's get the authors of all these letters and ask them to meet with us next week. Sit down and ask what are their plans in these neighborhoods, what are they doing, outside of this summit. I'd like to know, what are we doing locally here.

Let's get all these letter writers that are quick to come down and call me names, splatter your name and, call you a racist or whatever they want to call you, let's be productive. I still stand behind national gang leaders shouldn't be here for this summit. I think it's wrong.

Motion on the floor, you can call the vote Mr. President.

The Chair:

Again, most of the individuals from my community and my council district calling my office are upset with my position, in giving recognition and want to be supportive of this attempt at the

Gang Peace Council. So you're a little bit off base on that.

Any other discussion, I would ask the clerk to please take the roll.

AYES::

Mr. Hertzberg
Mr. O'Connor
MR. Onorato
MR. Ricciardi

NOES:

Mr. Cohen
Mr. Cusick
Mr. Smith
Mr. Ferlo, President

AYES: 4 NOES: 4

The motion dies.

A motion was made to approve the minutes and excuse the absent member.

The motion was moved and seconded.

Mr. O'Connor:

I have one other quick issue, but I think it's ironic it ended in a tie and I would like you Mr. President to meet with the Mayor as soon as possible. I think everyone, the people Mr. Onorato just named should be coming together and working toward it.

I do want to call a Post Agenda concerning the snow removal. I have had a lot of calls beside the Gang Summit, the next biggest thing seems to be the snow removal. Again, 90% of the people did a great job, but I think there

are some problems there I would like to have a meeting on it. Also, I would like to cover the paving, we're spending a lot of money, and I would like to know what direction and where it's going.

Last but not least on that same agenda the street cleaning starts in two weeks, as you know last year there was a grand finally as to how the streets were going to be cleaned and it really never worked. I think with the new Administration and a new Director, it should be televised to tell us and the residents what direction were going. So that our phones can stop ringing and I think we can support each other and make sure we do a better job than we have in the past.

The Chair:

Point well taken, since many of those issues you brought up, including the asphalt, which will be a resolution that we vote on in terms of going out on contract, involve both Public Works and Engineering and Construction, and some of the folks from the Mayor's office, Maybe we better schedule a hearing and have a better understanding what the administrations programs are going to be.

And on the motion of Mr. Ferlo

Council adjourned

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

March 15, 1994

No. 11

Municipal Record

ONE HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO President
LINDA M. JOHNSON-WASLER ... City Clerk
KURT J. SALAC Asst.
City Clerk

Pittsburgh, PA
March 15, 1994

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo, Pres.

ABSENT:

Mr. Darkins

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

The Chair:

We are very please this morning to have our youngest guest,

we have a four year old child from the William Penn Child Care Connection, The Young World School, and she is going to lead us in the Pledge of Allegiance, and her name is Shanna Cavanas.

Shanna Cavanas:

I pledge allegiance To the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Thank you Shanna. We have a number of guestS here this morning, but first Councilman Cusick has a proclamation to be read into the record.

PRESENTATIONS

Mr. Cusick:

No. 293 WHEREAS, Frank Capozzi is a retired supervisor in the Sales and Use Tax Department for the Commonwealth of Pennsylvania serving the citizens of the City of Pittsburgh; and,

WHEREAS, for the last 50 years Carolyn Capozzi has been a dedicated wife, homemaker and mother of four children; and,

WHEREAS, on March 23, 1944 Frank and Carolyn Capozzi were married and went on to have four children; Carol Ann Natali, Franny Capozzi-Alvin, Donna Linnelli, and Lorraine Capozzi.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, Hereby recognizes and congratulates Frank and Carolyn Capozzi on their Fiftieth Wedding Anniversary and their years of dedication to their children, each other and the community.

The resolution was approved and seconded.

Which motion prevailed.

Mr. O'Connor:

I would like to introduce some members of the University of Pittsburgh Greek community. Erin Walker, Cassandra Bariucci, Francal and Kevin Hancock, missing today are Jennifer McHugh and Kelly Reddy.

I am very honored to read this proclamation for the Pitt Greeks, I have been involved and associated with them for many years. It's an outstanding week and they do a tremendous job in the City.

No. 294 WHEREAS, the University of Pittsburgh's Greek Community, comprised of twenty-two fraternities and fifteen sororities, 1900 men and women strong, has contributed greatly to the well-being of our community and has provided a positive experience for countless university students over the years; and,

WHEREAS, the University of Pittsburgh's Greeks have, through their dedication and hard work, raised thousands of dollars for charitable organizations such as Special Olympics, St. Francis Hospital's Courage to Come Back Campaign, Spina Bifida and United Cerebral Palsy to name but a few; and,

WHEREAS, the University of Pittsburgh Greeks will celebrate "Greek Week" from March 15, 1994 through March 25, 1994 with a series of events including Opening Ceremonies, a Spring carnival, 3 and 5 kilometer runs, a dance marathon, a Greek sing, and a formal dance, designed to promote and enhance the Greek community's relationships among themselves and the residents of the City of Pittsburgh.

WHEREAS, Greek Week highlights the themes that govern the Greek community's purposes: education, leadership, scholastic recognition, and community service.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the University of Pittsburgh's Greek community for its outstanding public service to the people of Pittsburgh, and wishes them a successful and entertaining "Greek Week".

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim March 15 through March 25, 1994 to be "Greek Week" in the City of Pittsburgh.

The resolution was approved and seconded.

Which motion prevailed.

Erin Walker:

I'd like to thank you all for this resolution and for your continued support. If it weren't for Councilman O'Connor and the rest of Council, Greek Week would never be able to happen. We are very excited about this year's Greek Week, it kicks off tonight, and the other co-chairman are going to say a little bit about that.

Cassie Bariucci:

I'm going to start off by telling you a little about our events. Tonight we will be having our formal opening ceremonies, we will be hosting our charity members as well as all the chairman who have participated in planning and organizing our events. The rest of the week continues with our Greek God and Goddess competition, which will be held on Wednesday evening at 6:00 p.m. in Soldiers and Sailors Hall. Each fraternity and sorority will put up their contestant and they will compete for the title of Greek God and Greek Goddess. All the proceeds will benefit Special Olympics.

Later on in the week we will have our 5K run which will be on Saturday afternoon through Schenley Park, it will start at 11:00 a.m.. The City is welcome to participate, the cost is \$10.00, and again all proceeds benefit the Special Olympics.

Brent Somme:

Hello. I am the events chairman for Greek week, thank you all for your support over the last several years. The final events will be on Sunday, March 20th, the dance marathon, held at the

Metropol. On Tuesday, March 22 will be the Greek sing, again at Soldiers and Sailors Memorial Hall beginning at 7:00 p.m...

We encourage everybody to come out and enjoy the events. It is a very heart warming experience, and you won't regret the time you spend helping out the Special Olympics athlete's. Thank you very much.

Kevin Hancock:

I'm with Pennsylvania Special Olympics, the charity for Greek Week this year, as well as last year. Last year the Pitt Greek's raised over \$98 thousand dollars for Special Olympics state wide. This year they plan to better that. On behalf of the over 850 athlete's here in the Greater Pittsburgh area, and the over 20,000 athlete's in Pennsylvania, we want to thank the City Council for their support of Greek Week and all of Pittsburgh for its support, and as well, the Pitt Greeks for their great support of our organization. Thank you.

Mr. Hertzberg:

A little history lesson, from what I am told, I graduated from Union College, they tell me that's where the first fraternity was founded. I was a member of a fraternity there, and I still am a member, and I will be for the rest of my life. I commend Councilman O'Connor for bringing it here, I congratulate all of you.

Occasionally fraternity's and sorority's get bad press, it's good to see you recognizing all the good things they do, because I am sure nationwide millions of dollars are raised annually by fraternity's. I congratulate

Pitt's 22 fraternity's and 15 sorority's and all of you for what you are doing right now and for what I know you will do in the rest of your life, that's to help charities and it has taught me to do the same thing. I started back in college doing the same thing, and still am trying to do it today, so thanks a lot.

Mr. O'Connor:

No. 295 WHEREAS, Peace On Earth, started by Earl V. Jones, Sr. of Hazelwood, has grown from a local one man campaign to an effort of international proportions; and,

WHEREAS, in 1992, Peace On Earth featured its first creative writing and drawing contest, in Pittsburgh Public Schools, with the theme, "What Can Each of Us Do to Promote Peace on Earth", and in 1993 this contest spread to public and parochial schools throughout Allegheny County; and,

WHEREAS, in 1994 the Peace on Earth contest has expanded in scope to include the children of Pittsburgh's Siberian sister city of Novokuznetsk in this creative competition; and,

WHEREAS, Peace On Earth's 1994 Outstanding Humanitarian Award goes to four individuals and organizations who have provided invaluable assistance to the Peace On Earth effort, and proven their dedication to promote projects that involve people from a variety of religious, racial and national backgrounds:

Bob Batz, Jr. - Pittsburgh Post Gazette

and

Liz Miles - WTAE-TV

for their consistent support and promotion of the Peace On Earth contest; and:

Stephanie Cipriani - Integra Bank
and
Estelle Smith - Duquesne Light

for their ongoing financial support and informal consulting on the Peace on Earth contest.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Earl Jones and Peace On Earth for their commitment to promoting peace within and between nations, and congratulates the four recipients of the Outstanding Humanitarian Award for their efforts in support of Peace On Earth.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare March 20 through March 26, 1994 to be "Peace On Earth Week" in the City of Pittsburgh.

The resolution was approved and seconded.

Which motion prevailed.

Earl Jones:

I'm here today to represent just a small part of the wonderful people behind this peace campaign, and these four humanitarian's say, they are only doing our job, but I am saying they're doing their job better than anyone could ever expect. Promoting world peace not only in the world today, but in our communities and our county.

Today we're represented by the FOP Pat McNamara, and John DeFasio representing the United Steel Workers of America, Dave Meyer, representing the paramedics, and Mike Kelly representing the firefighters of Pittsburgh. Stella Smith couldn't be here

today from Duquesne Light, so he will accept her award.

I would like to thank all the City Councilmen, Bob O'Connor and his staff, and the many volunteers who are responsible for this. I'm just one clog in the wheel, and I'd like to thank our Mayor Tom Murphy for being involved. Without these volunteers these things couldn't happen, and I promise you this by the end of this year, we're going to penetrate 88 neighborhoods in the City of Pittsburgh. We'll be involved and we'll be out there, whatever we do it will be the benefit of all people. Now we will present the awards.

Dave Meyer:

On behalf of the Peace on Earth campaign and the Fraternal Association of Professional Paramedics, I wish to present this humanitarian award to Stephanie Cipriani from Integra Bank.

Stephanie Cipriani:

Integra Bank is very proud to be a corporate sponsor of Peace on Earth, and we applaud Earl Jones and his enthusiasm and hard work.

John DeFazio:

On behalf of the United Steelworkers of America and George Becker our International President, we're proud to be part of this, and I would like to present this to Bob Batz. Thank you.

Bob Batz:

It's pretty bad when the trophy is bigger than the Stanley Cup, but it is kind of nice. Like Earl said, this feels kind of

silly because the kind of things that we wrote about, that Earl is involved in, is the kind of stuff we like to write about in the Post Gazette. If every neighborhood had a Earl Jones, I can't imagine what they would be like, but it would be a really good thing for the City of Pittsburgh. Thanks Earl.

Earl Jones:

On behalf of Sparky our Firefighter, which is Michael Kelly, this awards goes to Liz Miles.

Liz Miles:

I just want to say that Earl gave me an opportunity to report some good news, which is always a pleasure. It was even a bigger pleasure meeting Earl, he's a friend for life, once you get on his team, and he promised me, he would never forget me. Thank you Earl.

Pat McNamara:

Estelle Smith from Duquesne Light couldn't be here today, but our fire puppy volunteered to take her place here today.

I thank Earl Jones on behalf of the Fraternal Order of Police, we're part of this great Peace on Earth movement. We have been through all the High Schools, the Grade Schools, we had many fine essay contest. The next FOP newspaper will be printing some of those essay's on what our young children have to say about our world today.

I'm certainly glad to be part of the Earl Jones team, he certainly picked up a lot of support in this move when he

started out. If everybody in the community could do what he is doing in the Hazelwood section and throughout this City, we would have a great City of Pittsburgh. Thank you very much for your time.

Mr. O'Connor:

Thanks Earl and everyone, I just want to recognize Liz's father is here, Mead Mulvahill, who was the solicitor from 1974 to 1982.

Earl Jones:

I would like to thank you all for this opportunity, and I promise you one thing, I will be working with all nine councilmen to make the things I have planned happen, and that is my word. Thank you ever so much.

Mr. Smith:

No.296 WHEREAS, the Improvement Committee of Allen Chapel African Methodist Episcopal Church, is honored to have guests and friends present to give special recognition to six individuals on this auspicious occasion, March 19, 1994; and

WHEREAS, the honorees present this evening are being recognized because they have contributed their time, special talents, and unique expertise to the betterment of the citizenry in the community, the North-Side and the City of Pittsburgh; and

WHEREAS, the honorees are: James Bulls, James Lane, Robert Manfredo, Betty Ralph, Richard Sanders and William Strickland. Each of them has worked diligently in coalition with many groups, institutions and individuals, to

improve the quality of life of men women and children, with no regard for race, color, or creed; and

WHEREAS, it is the hope of the Improvement Committee of Allen Chapel, African Methodist Episcopal Church, its clergy, congregation, and community, that you not falter in continuing to do good deeds and good works in the North-Side Community of Pittsburgh; and

NOW, THEREFORE, BE IT RESOLVED, that everyone present congratulate and give you praise for all that you have done for the community, and thanks you in advance for all that you will do in the future.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does wholeheartedly congratulate and extend well wishes to all of the honorees of the Allen Chapel Improvement Committee, for services rendered to the City of Pittsburgh, and hereby declare Saturday, March 19, 1994 as Allen Chapel Improvement Committee Day.

The resolution was approved and seconded.

Which motion prevailed.

The Chair:

For purposes of reading this into record, the young lady from the group is unable to be here today, due to illness. I would like to present this, a number of individuals are being recognized and honored, as part of the Bon-Ami Temple's affair later this month. One of the honorees included is our honorable Councilman Christopher A. Smith, we want to commend him and the

Elks Organization for recognition of Councilman Smith at this banquet.

No. 297 WHEREAS, our community is blessed with individuals and organizations dedicated to improving the quality of life in our community through many worthy endeavors, especially the Improved Benevolent, Protective Order of Elks of the World; known as Elksdom when founded in 1898, the fraternal group added a Women's Auxiliary to help with its many worthwhile activities in 1902; and

WHEREAS, the Bon-Ami Temple No. 49 of the Daughters of Elk plans to sponsor its 22nd Annual Community Awards Banquet on March 20th, 1994, honoring selected outstanding citizens from our community and Elksdom for their accomplishments and service to their fellow citizens; and

WHEREAS, the selfless and public-spirited citizens chosen for the 1994 awards are Ms. Gwendolyn Elliott, Commander, Pittsburgh Police; Mr. Ralph Proctor, Executive Director, Kingsley Association; Mr. Christopher Smith, Councilman, City of Pittsburgh; Mr. Elk, Bro. Edward Dawson, Convention Director, PA State Association; Mr. Elk, Bro. James E. Pendergraft, Past Grand Exalted Ruler; and Ms. Elk, Dt. Janet D. Gear, Esteemed President, Past State Pres. Club; and

WHEREAS, the Daughters exerted special effort to publish a souvenir book to help enrich the donations for a worthy cause, with this year's proceeds being donated to the Jubilee Kitchen to provide food and comfort to the homeless.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Daughter Ruler Cora L. Madden and all members of Bon-Ami Temple No. 49, Daughters of Elks, I.B.P.O.E., for their compassion and generous charity work in one of America's most livable cities, and we congratulate the 1994 Award-winners, for their zeal and fervor toward their respective fields of endeavor which serve as an inspiration to us all.

The resolution was approved and seconded.

Which motion prevailed.

Mr. Hertzberg for Mr. Darkins presented

The Chair:

There was a modification on one of the bills to be read in relation to the City's asphalt paving program.. The figure originally was lower, it's been corrected so the bill today reflects the actual figure that is up for discussion. Please make note of that before Wednesday's discussion.

No.298 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for street resurfacing programs such as ultra thin hot mix asphalt, hot mix asphalt, crack sealing, micro surfacing, cold in place recycling, sawing and sealing, asphalt testing, flexible pavement, asphalt milling, and truck rental; at a cost not to exceed Five Million Four Hundred Thousand (\$5,404,000.00) Dollars, chargeable to and payable from Code Account 3-01-01-0001-94, Citywide Resurfacing Program, Index Code 875054.

Also,

No.299 Resolution further amending Resolution No. 1455, effective January 1, 1994, entitled "Resolution adopting and approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program; and approving the 1994 through 1999 Capital Improvement Program;" by increasing Code Account 3-01-01-0001-94, Citywide Resurfacing Program, Index Code 875054 in the amount of Three Million Three Hundred Fifty Four Thousand (\$3,354,000.00) Dollars.

Which were read and referred to the Committee on Public Works.

Mr. Hertzberg moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Cohen:

I believe there was a bill that was going to be up tomorrow on asphaltting. Do we re-introduce the bill at a higher figure of \$5 Million dollars, or do we just amend the last bill.

The Chair:

I think the only actual bill that is formally being introduced today is the corrected figure of roughly \$5 Million Four as opposed to a bill that you may have received last week which incorrecctly listed authorization of \$2 Million plus. The actual

bill is the annual work of the City letting our contracts for the asphalt it's at the \$5 Million Four figure, however, I will note that the wording of this resolution is similar and boiler plate to the annual authorization, and it does include such things as crack resealant and things of that sort.

I am sure Councilman Onorato, myself and others are going to have a lot to say about that process once again. I look forward to amending that bill come Wednesday, to deal with some of the problems that have been associated with the project in the past. In any event we will try to move this bill along quickly.

Also,

No.300 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for flexible beam guardrails at various locations within the City of Pittsburgh, at a cost not to exceed Fifty Thousand Dollars (\$50,000.00), chargeable to and payable from Code Account 3-01-30-0020-94, Flexible Beam Guardrails, Index Code 875351.

Also,

No.301 Resolution providing for an Agreement with the Allegheny County Sanitary Authority, granting ALCOSAN and easement to construct a sewer interceptor on City owned property designated as Block No. 122-6, Lot 50 in the 11th and 12th Wards, 9th Council District of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works.

Mr. Onorato presented

No.302 Resolution providing for the issuance of a \$870.00 warrant in favor of Anna L. Settnek in settlement of claim for sidewalk damage, charging the same to Code Account No. 46, Judgments.

Also,

No.303 Resolution amending Resolution No. 998, Item E, effective October 9, 1992 which authorized the sale of a vacant lot 129.34 x 118.54 x 133.17, Travella Blvd., 12th Ward, Block 173 C Lot 327, to Elizabeth P. Amoah, for the sum of \$300.00.

Which were read and referred to the Committee on Finance.

The Chair presented

No.304 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$4,000.00 in payment for professional consulting services rendered to the Councilwoman Michelle Madoff for the first quarter of 1993.---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Smith seconded the motion.

Which motion prevailed.

Also,

No.305 Resolution authorizing and directing the Solicitor to file and appeal with the Commonwealth Court in the case involving Kosmos Cement Company and the Allegheny County Health Department.---(SPONSORED BY MR.FERLO)

REPORTS OF COMMITTEES

Mr. Onorato presented

Bill NO. 306

Report of the Committee on Finance for March 9, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 114

A Resolution entitled, "Resolution providing for an Agreement with Byrd R. Brown Law Offices for Legal Representation as the Solicitor of the Pittsburgh Commission on Human Relations in 1994 and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 244

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Michael Facchiano Contracting, Inc. in the amount of \$24,851.50 in partial payment of an Emergency Contract for the Construction of a

Retaining Wall on Steuben Street;
and providing for the payment of
the cost thereof."

Which was read.

Also,

Bill NO. 247

A Resolution entitled, "Resolution
providing for the issuance of a
warrant in the sum of \$7,000 to
Clarence Lavelle, Jr., c/o Peter
King, Esquire, Twenty Chatham
Square, Pittsburgh, PA 15219 in
full and final settlement of
alleged personal injuries
regarding an accident on Platt
Street Steps, on or about
September 24, 1991."

Which was read.

Also,

Bill No. 248

A Resolution entitled, "Resolution
providing for the issuance of a
warrant in the sum of \$1,860.09 to
John A. Smith, Melvin J. Smith and
Kimberly E. (Melensky) Smith, c/o
James P. Coletta, Esquire, 1910
Cochran Road, Manor Oak II, Suite
240, Pittsburgh, PA 15220, in
full and final settlement of the
action filed at GD87-11187
alleging personal injury and
property damage sustained due to
an automobile accident on or about
June 28, 1993."

Which was read.

Also,

Bill No. 249

A Resolution entitled, "Resolution
providing for the conveyance by
the City of Pittsburgh of certain
property under Act No. 171 of

1984, entitled "Second Class City
Treasurer Sale and Collection
Act", effective December 11,
1984."

Which was read.

Also,

Bill No. 250

A Resolution entitled, "Resolution
providing for the filing of
petition or petitions for the sale
of certain property or properties
acquired at tax sales in
accordance with Act No. 171 of
1984, "Second Class City Treasurer
Sale and Collection Act",
effective December 11, 1984."

Which was read.

Also,

Bill No. 251

A Resolution entitled, "Resolution
providing for the filing of
petition or petitions for the sale
of certain property or properties
acquired at tax sales in
accordance with Act. No. 171 of
1984. "Second Class City Treasurer
Sale and Collection Act",
effective December 11, 1984."

Which was read.

Also,

Bill No. 277

A Resolution entitled, "Resolution
carrying over balances or portions
thereof remaining in certain Code
Accounts for the year 1993 to the
same or to other Code Accounts for
the year 1994."

Which was read.

Also,

Bill NO. 278

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of One Thousand Nine Hundred and Twenty Nine Dollars and Eighteen cents (\$1,929.18) representing an adjustment to the initial payment required for unclaimed funds for the year 1985 pursuant to the provisions of the Depositions of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

Also,

Bill No. 279

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Nine Thousand Forty Two Dollars and Fifty one cents (\$9,042.51) representing an adjustment to the initial payment required for unclaimed funds for the year 1986 pursuant to the provisions of the Depositions of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

Also,

Bill No. 289

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Twenty Four Thousand Six Hundred Thirty Four Dollars and Seventy Three cents (\$24,634.73) representing an

adjustment to the initial payment required for unclaimed funds for the year 1985 pursuant to the provisions of the Depositions of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes

Noes

Bill No. 114

Mr. Cohen
(Pres't.)
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith

Mr. Ferlo

AYES 7

NOES 1

Bill No. 249

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
MR. Ferlo, (Pres't.)

Mr. Smith

Ayes 8

Noes 0

Abstain 1

All other Bills

AYES 8

NOES 0

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Hertzberg for Mr. Darkins presented

Bill NO.307

Report of the Committee of Public Works for March 9, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill NO. 23

A Resolution entitled "resolution vacating Haskell Way from Penn Avenue to Mulberry Way in the 6th Ward, 7th Council District of the City of Pittsburgh. (AS AMENDED)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bills pass finally?"

Ayes

Noes

Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Smith
MR. Ferlo (Pres't.)

Mr. Ricciardi

AYES 6

NOES 1

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Smith presented.

Bill No. 308

Report of the Committee on Planning, Housing & Development for March 9, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill NO. 35

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921. 02, Zoning District Map No. 7, by changing from "R3" Multiple-Family Residence District to "A1" Commercial-Residential Associated District all that certain property generally bounded by Wabash Street, Neptuen Street, Warden Street, McCartney Street, Woodville Avenue, and McKnight Street, 20th Ward."

Which was read.

Also,

Bill No. 252

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Agencies that operate Emergency Shelters for the Homeless in the City of Pittsburgh, so as to provide for the payment of rehabilitation, maintenance, operation, insurance, utilities, furnishings and essential services of said Agencies, at a total cost not to exceed \$615,000.00"

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes: Abstain

Bill No. 35

Mr. Cusick Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo (Pres.t)

AYES 6 NOES 0
ABSTAIN 1

Bill No. 252

Ayes:

Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
MR. Ferlo (Pres.t)

AYES 7 NOES 0

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 309

Report of the Committee on General Services for March 9, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 184

A Resolution entitled, "A Resolution providing for an professional services agreement or Agreements or for the use of existing agreements for the purchase of fuel for City owned vehicles, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 246

A Resolution entitled, "A Resolution authorizing the Mayor, the Director of the Department of Finance, and the Director of the Department of General Services, on behalf of the City of Pittsburgh to execute an amendment to a supplement agreement providing for the lease to the County of Allegheny of the Sixth (6th) Floor of the City-County Building"

Which was read.

Also,

Bill No. 276

A Resolution entitled, "A Resolution providing for the authorization of the Mayor, the Director of the Department of Public Safety and the Director of the Department of General Services, on behalf of the City of Pittsburgh, to enter into an Agreement, in form approved by the City Solicitor, to lease from Robert Wagner, Owner, a parcel of land and building located at 1555 Broadway Avenue, Pittsburgh, PA 15216, in the 19th Ward of the City of Pittsburgh, for the

purpose of establishing a Community Oriented Police mini station, for a term of one (1) year, commencing upon the execution of the lease, but later than March 31, 1994, at no rental cost to the City. The City will assume the cost of utilities, not to exceed fifty dollars (\$50.00) a month, chargeable to and payable from Code Account 1132-7, Index Code 113274, Utilities, Department of General Services."

Which was read.

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Bill NO. 184 and Bill No. 276

Ayes	Noes
------	------

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo. (Pres't)

AYES 8	NOES 0
--------	--------

Bill No. 246

Ayes	Noes
------	------

Mr. Cohen	Mr. Ferlo (Pres't)
Mr. Cusick	
Mr. Hertzberg	
Mr. O'Connor	
Mr. Onorato	
Mr. Ricciardi	
Mr. Smith	

AYES 7	NOES 1
--------	--------

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo moved to approved the minutes and excuse the absent member.

Mr. Cohen seconded the motion.

Which motion prevailed.

As you know we have a public hearing at 2:00 p.m. this afternoon, I don't think there are many speakers signed up, in regards to our obligation to the public to be more aware here in the City, of the Regional Assets District, and the proposal for a 1% increase in the sales tax. We will get a brief overview, we will listen to the public, if any are coming down here this afternoon, either for or against the proposal.

Most importantly we have a post agenda immediately following this, I think all of us are anxious to begin to talk about the budget situation as made aware and announced last week. Mr. O'Connor has helped to initiate this meeting, I know we are all anxious to get into that discussion. I have some comments regarding that but at this time I would like to turn to others to speak first.

MOTIONS AND RESOLUTIONS

The Chair:

I just want to state very clearly the events of last week regarding the budget situation are unsettling to be at best. I was very disappointed, and I guess I could characterize last Wednesday's events as the Ted Mack Original Amateur Hour. I've been on Council for 5 years, it's

always been a situation where we have had good communication and at least clear sailing when we are letting out and engaging in a major activity, such as the bidding out of the \$45 Million dollar Bond Issue.

What happened last week was very disappointing, at least procedural, and I'm going to state it very publicly. I think we have a new administration, I think they are well intentioned, they are working hard. God knows they have hit the ground running. But, I think they need to be clear in the future, because I don't want a repeat of what happened last week.

It should never be the case when we are in the middle of a Council meeting that a note is handed to the Chairman to table the bill, and the administration leaves the room. I mean, I don't know how other Councilmembers felt, but I felt a little bit upset about that procedure. I think the public watching the meeting, and certainly following the discussion, was very unclear as to exactly what was happening.

I was further very upset at the manner of which an announcement and an impromptu press conference was called by the Mayor and his administration. I did not attend that meeting, I had a meeting working with the City Pride folks on the bakery. Had I been there, needless to say I would have been a little bit hot under the collar. I don't know how other Councilmembers took it, but I would have found it very awkward to be standing there behind the Mayor and a microphone and all of a sudden to hear some cataclysmic comments about the fate of the City's assets and the

City's budget in particular.

Needless to say I am upset about the situation, I applaud the administration, as I stated last week that they went to a competitive bid instead of a negotiated bond. When we let out a bond issue it has always been the case that as part of the due diligence when we prepare that report that we have what is referred to as the comfort letter, as part of that document when we let out the information to the financial community.

Apparently no such comfort letter was part of the package. If it was sought, it's not clear to me that it was available, because our accountant's here and their auditors would comment, Mr. Onorato, Mr. Hertzberg and others, it's always the case if an auditing firm, in this case our outside management consulting firm KPMG Peat Marwick, they would have indicated clearly that the only comfort letter that they could have signed off on would have been for the 1992 budget. As early on in the year, which is unusual, that a bond issue was sought it's not clear at all that we could have got a signed letter from an auditing firm as to what the actual state of the City's finances are.

I think it is very irresponsible, the press conference and the pronouncements that were made last week, in fact have set off a series of reactions both from the public, from the finance community all the way over to the the Wall Street Journal of a miss impression regarding the actual fiduciary responsibility of this City Council as it relates to approving last years budget. There's a big difference from an

accounting point of view, to prepare financial numbers on actual expenditures, and what's really cash on hand, versus what appears to be the case in someone's check book.

The \$21 Million or \$27 Million dollar deficit that was pronounced last week, again with no notification to this Council for some advanced dialogue, did not even include considerable amounts of money that is in our yearly trust funds. Whether it be the EMS Trust Fund of over \$3 Million dollars, close to \$6 million dollars in various trust funds that make up parts of the budget for Parks and Recreation. We know we have a trust fund for BBI because of the fees and other revenues we collect, that trust fund almost totally pays for the operating employees in that budget. The Liquid Fuel Tax Revenue which is a substantial amount of money of over \$4 million, none of that was computed into this pronouncement that was made last week.

It's not to say obviously that we know this Council in approving the 1994 budget, I think it has always been clear that we are in a precarious financial situation, and that we have to be mindful not only of our spending and the expenditures from that budget, but we know in adopting that budget, that we very much need additional revenues. That's what has been the strategy, and to the credit of this administration we have set our sights in a number of hoped for revenue sources that may come in by the end of the year.

But again, just in closing, I am very upset, I want to make it clear to the administration that's not the way we're going to do

business in City Hall. That they have a requirement and responsibility to meet with this Council in advance, we need an opportunity to be a part of any interactions with the administration, whether it be from Peat Marwick, or as was the case yesterday with Barbara Hafer.

I don't know that any Councilmembers were made aware of part of that meeting, but I think even as a new President of the Pension Board, I was not on the Pension Board prior to January 3rd, I think a number of individuals should have been a part of the proceedings yesterday. So again, I want to send a clear message to the administration, we have to do business differently in the future.

I think the actions of last week raise a lot of questions about the role that the outside Peat Marwick financial auditor has played, I think they have done a disservice if I understand the scenario correctly, I still think there a lot of questions and answers that need to be raised, and answered too, hopefully shortly, about how the Bond Issue was let out, this issue of the comfort letter.

There's been some accusations and indication that an auditor from KPMG Peat Marwick may have done something unethical, I want to explore that issue and understand that issue fully and more clearly in terms of whether or not they were holding out to be a part of some future bond issue. There are a lot of issues that I think we need to begin to discuss at this meeting, but again in closing, we have to do business differently, and I hope the

administration will meet with Council, not only today but continue to improve the manner in which we communicate.

Mr. Cohen:

I was going to discuss this, and will discuss it, at the post agenda that was called. But now that you brought it up I do think that is warrants a couple of statements on my part.

I was also disturbed by both the process and the substance of the announcement of last week. I think we all need to know how it happened, of course we will have representatives from Peat Marwick, the City Controller's Office and from the administration here at the post agenda.

If you recall, I sent a letter over to Peat Marwick asking them for any and all of their worksheets that went into the determination that there is a \$27 Million dollar negative fund balance in the City of Pittsburgh. What I received back were these two sheets, these were all of their worksheets, according to Peat Marwick, that they used to determine that we had a \$27 Million dollar deficit. Now, I am not saying necessarily that Peat Marwick is to blame for what happened here, because what did happen was the administration did not even have these two little sheets, with very very scant information on it. My understanding, and we can confirm it at the post agenda, is that the administration didn't even have those sheets.

On the basis of a verbal, single phone call, a \$45 Million dollar Bond Issue was pulled, \$15 Million of which was going to

repave our streets, which are in horrible condition. All Capital Projects were halted in the City of Pittsburgh, including the Public Safety Complex. I think it put our City's bond rating at risk, and sent a ripple of nervousness and fear throughout the City of Pittsburgh, that went all the way to Wall Street.

I do think we need to explore the fact that this was done without very much information, and the information which it was relied upon is absolutely unreliable. We can no sooner say that the City's budget deficit is \$27 Million dollars than we can say it's \$12 Million dollars. It's was based on a method of accounting called Generally Accepted Accounting Principals, Accounting, which is very very different, and we have to make this point Mr. President, because people at every community meeting I have gone to since last Wednesday when this announcement was made, people have come up to me and said, how can we be \$27 Million dollars in the hole.

They view it like you and I view it, like a check book, that we're \$27 Million dollars in the hole. It is not the case, we are not \$27 Million dollars in the hole, in terms of our cash, we do not owe creditors \$27 Million dollars, we've got to explain to the public what this means, and it means a very very different accounting method, that means essentially that we shut the City down, moreover that \$27 Million dollars is inaccurate and it's unreliable in my view.

I know that our Budget Director will be making a presentation today that will show that, as you said Mr. President,

it only includes one fund, our General Fund, it does not include for example; our Public Safety revenue fund which was \$5.26 Million dollars in 1992, no mention of that whatsoever, it doesn't include our Civic and Cultural revenue fund, \$3.2 Million dollars in 1992, our Liquid Fuels revenue fund \$344,000 dollars in 1992, so Mr. President, I think that these figures are inaccurate, I think they are unreliable, and I think that announcement misled the public.

We have taken tough measures in the last several years, we have done everything possible in my view. We laid off 250 workers over the last several years, 250 workers, 712 positions, that is not easy to do, because all those workers have families. We merged departments, we've spun off facilities like the Zoo and Phipps Conservatory.

Until we receive revenue from the Regional Assets Districts, we may have to take even tougher measures to keep this City afloat, but to say that this City has a budget deficit of \$27 Million dollars misleads the public. I think we are going to learn at this point agenda that it is an unreliable figure, that it fails to include many revenue sources, it based on a method of accounting that is very different from what we have used in the past.

There is a significant cost to this action, because I do think it has sent a ripple of fear throughout the City and I think that it will have an effect on our bond rating, and I seriously seriously question whether all that was necessary.

Do we have a tough financial

situation, yes we have a very tough financial situation, and we have to get it on the table and set our priorities, and take action that we have to take. But I don't think that was the way to go about it.

Mr. Smith:

Just quickly, first of all we are about to hold a post, and I'd like to ask specific questions to specific individuals so that we can get answers. More importantly even though we can show or prove, and accounting is a wonderful thing, that we are not \$27 Million in the hole, what we should use this point for is a change in our accounting system that allows us to have a more accurate, consistent audit of our books so we know any day of the year where we are in the system. So I think we need to not get side tracked on the issues of \$27 Million, but the process that is used not only for the annual audit but our daily accounting system. I think these are the issues that need to be addressed.

The Chair:

Mr. Smith, I appreciate your comments, but lets be clear, we didn't get side tracked over what happened last week, I don't believe any Councilmember initiated the activities of last week. The administration took certain actions which I think we need to discuss more fully.

The Consolidated Annual Financial Report which is actually the true indication of where we are financially with revenue and expenditures, usually was received as late as September. Because of the leadership of this Council over the last 5 years, the

Controllers Office working with the outside auditor makes it available May 1st, that took many years to bring about as you are aware. It may be that we want to look in the future to an annual report with possibly some quarterly updates within the program year, and that's something we can discuss.

What I am upset about is it seems as though someone erred of a letting out of a Bond Issue so early in the year without this so called comfort letter, which I believe has always been the case that we had that letter. Not having that, we get a memo or letter or some sort of work papers, which are shoddy at best. They basically are so preliminary and so general in nature, that they in no way can portray a true financial picture. I think it is irresponsible as to what happened last week. I think we need to move quickly to this post agenda, and begin to discuss some of these issues.

Mr. Cusick:

I hope the administration is ready to address, because they brought it up, the Public Safety Complex and their plans to move on this project.

After reading an article that Masarro Construction may sue the City, I think it is real important that they allow us to know what their plans are with the Public Safety Complex.

And on the motion of Mr. Ferlo

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

March 22, 1994

No. 12

Municipal Record

ONE-HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
KURT J. SALAC.....Asst. City Clerk

Pittsburgh, PA
Tuesday, March 22, 1994

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo
	(Pres't)

ABSENT:

Mr. Darkins

The Chair:

Would you all please rise for the Pledge of Allegiance, and would you please remain standing for a moment of silent prayer.

And, this morning we are very pleased to have two young people in the audience that will lead us in the Pledge of Allegiance. We have with us from Beechwood Elementary School, a 2nd Grader, Joshalyn Dollar -- Joshalyn, if you would like to come forward -- and she's got a tag team girl friend here, Jessica, Jessica Galuzzi. And, we are very pleased that the Principal, Dr. Pat Cupac is also here today from Beechwood

Elementary.

Joshalyn, if you would like to lead us in the Pledge of Allegiance.

**Joshalyn Dollar
& Jessica Galuzzi:**

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you very much, Joshalyn and Jessica, and we have some momentums for you, the City Flag and the Flag of our Country.

PRESENTATIONS

The Chair:

We will get right to proclamations. I have to pull a rank here, we are in the middle of some collective bargaining negotiations with some labor folks here today, so I am going to call them up first, and I apologize to my colleagues for this, but we have a time problem.

So, at this time, I would like representatives of the Service Employees International Union to come forward. I see the International Vice President, Rosemary Trump, Mr. Stackhouse, the President of the Allegheny County Labor Council, and there are other friends here from the public sector. I see firefighters here. We have Mr. Manion from the United Mine Workers, and others. You are all welcome to come forward for the proclamation.

If we could get all the other labor folks up here, we would like to give you recognition. Don't be bashful, you are never bashful any other time.

Rose, if you want to stand here to the left. Members of Council, I would like to move the following resolution.

THE CHAIR PRESENTS

No. 310 WHEREAS, the Occupational Safety and Health Act (OSHA) embodies one of our nation's most important basic rights, the right of workers to a safe and healthy workplace; and

WHEREAS, despite the enactment of OSHA over twenty years ago, workers throughout the country continue to toil in unsafe working conditions, forced to risk their lives and limbs to earn a days pay; and

WHEREAS, 40 workers are killed on the job by safety hazards every day, 10,000 are killed every year, 6.6 million workers are injured on the job each year and 60,000 receive permanently disabling work injuries each year; and

WHEREAS, catastrophic workplace tragedies continue to occur such as the fire that killed 25 workers behind locked doors in Hamlet, North Carolina, the explosion that killed 23 workers at Phillips Petroleum in Pasadena, Texas and the building collapse that killed 28 construction workers in Bridgeport, Connecticut; and

WHEREAS, meaningful OSHA reform legislation has been introduced in both the House and Senate in the form of H.R. 1280 and S. 575, which would: extend OSHA's coverage to state and local public employees, incorporate the right to refuse unsafe work into law, protect workers from retaliation for exercising their health and safety rights, addresses the special hazards of the construction industry, and strengthen standards and enforcement under OSHA.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby joins the Coalition for Safe Jobs and the Service Employees International Union in endorsing the Comprehensive Occupational Safety and Health Reform Act (S. 575, H.R. 1280) and urging its prompt passage; and

BE IT FURTHER RESOLVED by the Council of the City of Pittsburgh that the City Clerk is hereby directed to transmit copies of this Resolution to Senators Wofford and Specter and Congressman Coyne, Santorum, Klink and Murphy.

MR. HERTZBERG moved to adopt the resolution.

MR. SMITH seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much, it has been moved appropriately.

Very quickly, I would like to call on Rose Trump, who is not only the International Vice President but, in fact, a Local President of the Service Employees International Union, Local 585; she is certainly no stranger to these Council Chambers. SCIU represents a lot of public employees in and around this building, and atypically of the U.S. Senate and the Congress, they themselves, as elected officials, have Health Care Universal Coverage, if you are elected to the Senate and the House, they seem to have a problem extending that Universal Coverage and Health Care to the rest of America's families.

As typical with the Senate and the House, they pass EEO and Civil Rights Legislation and they exclude themselves from the legislation, and the same thing goes with OSHA, they excluded, the Congress, in fact, excluded public employees, which makes no sense whatsoever. I think we can see from our own municipal workforce, we have working people that work in job sites with hazardous materials and hazardous conditions, potentially unsafe conditions, and if it is good enough for the private sector, I believe OSHA should be extended clearly to public employees across this land.

So, again, now is the time to strike while the iron is hot. We have hopefully a more sympathetic Congress and a White House. And, this bill, along with Senate Bill 55,

which we know as the Striker Replacement Legislation, it is my hope this year that because of the actions of this Council and the movement within the labor community, that we can bring to fruition this long overdue reform.

At this time I would like to call on Rosemary Trump and others to say a few words.

Ms. Trump:

Thank you, President Ferlo. Let me, on behalf of all the labor movement here in Western Pennsylvania and the City of Pittsburgh, thank you for your interest in this area. We are happy that you, as our elected representatives, understand that every worker should have the right to go to work and assume that they will be able to earn their livelihood, that they will be able to work under safe, healthy conditions, so that they can function as a provider, whether male or female; that they will be able to earn their living, pay their taxes, contribute to the community, be a responsible father, mother, wife, husband, daughter, son, be a responsible taxpayer, not tax consumer as a result of an injury on the job; be able to contribute to the value of that company, the value of that employer, to make a contribution in a positive fashion and not be subjected to conditions where they may suffer personal injury, be maimed, or ultimately be potentially killed. Everyone suffers if that occurs. The employer suffers because his Worker Compensation costs are going to increase; from a monetary standpoint that is how, unfortunately, many issues are viewed in this society. It suffers because of that productive individual contributing to the success of that employer, a trained employee, and needless to say, the family and the loved ones suffer through the loss of that individual, either through death or permanent disability.

This resolution will do much to help us lobby our Congress persons, to, in fact, pass a strengthening bill before the federal government, so that there can be a clear understanding that the government is doing

its rightful responsibility of ensuring that business will operate, yes, in a profitable manner but also in a safe manner. It is all too sad that currently the fish and wildlife and the environment appropriately receive over 8 billion dollars in funding to protect our natural resources and our natural animals but isn't on a contrasted basis. Currently while the fish and wildlife get over 8 billion dollars, under the current regulations and funding for the OSHA operations, limited as they are, it is a mere 289 million dollars versus 8 billion dollars for protecting human needs and human values and human safety concerns. This resolution will go far in righting that inequity. That certainly the enforcement and the protection of human life at the work site should be among our very highest priorities.

We wish to thank you for your understanding in this regard and particularly because it has a sensitive, very sensitive provision, where it talks about having criminal provisions for employers who knowingly, wantonly and irresponsibly understand that there are conditions that will kill their employees, that they will be subject to fines and possible jailings.

Again, to show the dichotomy in our society there is a law that is enforced that if a person is convicted of harassing a wild burrow on federal property that they can serve as much as 12 months or a year in jail, and there has been enforcement of that activity; however, if an individual, an employer, in fact, knowingly has conditions that will subject their employees to possible death, the maximum sentence that employer can be subjected to is a mere six months, while harassing a wild burrow, a year, killing a worker, six months. There is an inequity and that has to be — the employers have to understand that there are, in fact, strong penalties if they do not provide safe and healthy working conditions for the employees to work in.

So, we applaud your courage, we applaud your convictions and we applaud the fact that you understand that all of our society will be better for it, both in terms of a monetary

sense and in terms of a humane sense, by having strengthened OSHA Regulations.

I would ask that the President of our Allegheny County Labor Council, Paul Stackhouse, receive your proclamation and also say a few words. Thank you.

Mr. Stackhouse:

Thank you very much. Mr. President Ferlo and members of Council, I am glad to be here for this resolution, because I was trying for many, many moons to have the public sector given the same kind of consideration as in the private, because much has escalated from the new processes that have been taking place, and certainly there is a lot of mental exhaustion, rather than the physical exhaustion, and recycling of papers, all of these things, make a big difference in the work place. I am not saying the work place is not bad, it is good, but we can always better whatever based on more stringent laws that will enhance our position.

I want to thank you primarily because what will emanate from here, I think, we will get the State Federation, the State Legislature, moving in this direction, and federally wise, because there has been a delay there, I do not know where, who from, it couldn't be from the insurance companies because Workers' Comp certainly pays them well. There's got to be some other idea.

But, I just don't want to prolong it, Rose said a lot, said it much nicer than me, but I want to thank you very much to have Allegheny Labor Council, because this is very, very important. Safety and health, those committees ought to be put to work, so that they save you money and save lives. Thank you very much.

Ms. Trump:

I am going to ask that Rich DiNizo from the Building Trades, as well as Woody Gibbs from the Service Employees please join us here, and, as President Stackhouse indicated, one of the other enabling provisions of the bill is that public sector workers, including

firefighters, police, teachers, school workers, state, local and county governments, will be included for the very first time, and in addition to the public sector being represented here with us, the private sector is as well. I would ask that for the record that each representative of their labor organizations introduce themselves to you at this time, and if anybody else would like to add a few words, you are welcome to do so.

So, beginning with Brother Donald Dorsey from the Firefighters Union, would you introduce yourself.

Mr. Dorsey:

My name is Donald Dorsey, Pittsburgh Firefighters, Local No. 1. I do not need any introduction to most of you members of Council, I have stood with you in fair times and foul, and I appreciate your indulgence.

Just a small point I would like to make and Sister Trump would have brought it up if she would have thought about this, and that is -- and in the sake of remaining mercifully brief -- Sister Trump organized my mother in 1969. I had learned trade unionism, I learned workers' rights from Sister Trump, almost 30 years ago, and of course, next to John L. Lewis, her portrait ranks second in my household, and the third tenant I would introduce you to and that is that my mother raised me with the belief, and this is something that came, it is diluted at this point, but the saying was that they only close the mine for a mule, they won't close it for a human. Thank you very much.

Ms. Houser:

I am Jackie Houser, I am the Political Director for Local 585, I am from Westmoreland County, and it is a pleasure to be before you today, and I thank you very much for your support, it is a very important step.

Ms. Trump:

Very good. Rich DiNizo.

Mr. DiNizio:

I am Rich DiNizio, I am with the Building Trades Council of Pittsburgh. How is everybody this morning? I apologize for being late.

One comment I want to make on this resolution, the legislation, the City of Pittsburgh is exempt from OSHA Regulations, and we are going to probably go into negotiations later on in the year and one of the big key things we are going to hear from the Administration is the cost of Workmens' Compensation. And, it strikes me as ironic that is going to probably come up, because Councilman Smith and myself one morning when they were painting the entrance out here, which, by the way, is very nice, I was watching the painters out here, who I represent, and they are walking around the scaffold, no handrails, no tied off, whatever, and ironically enough, the day before we had a drywall finisher that got really critically hurt by falling off a scaffold without a handrail where he cut off pretty much the better part of his ear. So, I had mentioned it to these guys out here, and I says, and, hey, don't you guys use handrails, don't you use safety lines, whatever? Hey, we're exempt from OSHA. I said, oh, good, when you hit the ground here, when you're the guy that hits this marble floor and we have to take you to the hospital, you tell me you're exempt from OSHA.

But, what I am getting across to you, or what I am trying to get across to you is that, we have got these employees geared to the fact that they are exempt from safety regulations, and that is not good for you and it is not good for me and it is especially not good for them. So, any help you can give us, is appreciated. Thank you.

Mr. Piscioneri:

Hello. Joe Piscioneri with Local 23, Food and Commercial Workers. We are one of the largest unions in this end of the state. We have got 21,000 members. It is quite ironic that 20,000 of them are covered under OSHA Regulations, but the 1,000 members of the

Liquor Control Board, that I happen to represent, are not covered under OSHA Regulations. We would like to change that. Thank you.

Mr. Manion:

Hi, I am Bill Manion from the United Mine Workers, I am on staff at the Regional Office in Washington, PA, and we cover the North East United States, including Pennsylvania.

The United Mine Workers has for years had safety as one of its concerns, the history is well known, and one of our problems is always getting the safety laws enforced, and Mine Safety Laws are much more stringent than Occupational Safety, when we have some places where we represent employees and that are under OSHA instead of IMSHA, and those places we are continually frustrated by the lack of ability to get the enforcers to enforce the law. So, we are glad that this bill is in Congress to put a little bit of teeth into OSHA, to try to bring some extra sense of safety and some extra ability of those in the work place to control their own safety. Thank you.

Mr. Mahoney:

Jim Mahoney, I am a trustee with the Fire Department, Local 1. I would like to thank you for inviting me up here, and I notice that with the safety and the other situations that we have on safety today that actually I love it, it is the greatest thing that ever come down, and I really enjoy it. With the manpower that we have now on our rigs, our accidents are down, I would say, over 70 percent, and I really like it. Thank you very much for having me here, I appreciate it.

Mr. Klingensmith:

Jim Klingensmith, SCIU Local 585. I also worked for the County of Allegheny for approximately 17 years before I became a business rep. for 17 years. I know I have seen a lot of things over the years and one thing that has always bothered me, when we became unionized, the employees were always

considered second class because they were political so called hacks. We are not political hacks, they all raise families, they have all done and paid taxes and did a little bit more in their communities, normally, and this is why I say, they should not be considered second class citizens when it comes to safety, health and welfare, their lives are just as important as everybody else in the private sector. Thank you.

Mr. Gibbs:

My name is Woody Gibbs, I am with the Service Employees, Local 29 in Pittsburgh. I would like to thank City Council on behalf of Local 29 for their support with the OSHA Reform, and I also would like to say that Labor Law Reform is very important, not just OSHA Reform, but changing some of the labor laws, looking at the Workmens' Comp situation, it all costs us money, you people realize that, and we would like to thank you for your support. Thank you.

Ms. Trump:

In summary, we just come to work here, we don't come to die. Thank you.

The Chair:

Mr. Cohen.

Mr. Cohen:

Mr. President, thank you very much, I will be brief because I know that everybody has to get back to their important jobs. But, I just want to, first of all, thank you for your initiative, Councilman Ferlo, on this very important issue, and just to say, it is terrific to have such an impressive coalition led by Mr. Paul Stackhouse and Rosemary Trump, SCIU is really in the front lines of so many progressive issues in the labor movement, whether it be health care reform, OSHA Reform. I was at a breakfast meeting they had about a month ago for international reform of working conditions, and just to say that I think that OSHA was one of the most important acts that was ever passed by the United States Congress, but

there are some gaping holes, it is ridiculous that it does not apply to state and local employees, here we are setting the laws for the City of Pittsburgh and we are not affected by the laws that are handed down from Washington.

And, secondly, the enforcement, and we see that at this level, too, where we pass laws and the enforcement of those laws does not follow through, clearly much, much more enforcement is necessary, because there is no greater asset in this entire country than our workers and there is nothing more important than the health and safety of those workers, not wages even, not vacation, nothing more important than their health and safety.

So, I just want to thank you all for coming here this morning.

The Chair:

Thank you, Mr. Cohen. Mr. Smith.

Mr. Smith:

Just quickly. I want to say that as a part of organizing City workers while I was an employee, we were forced to stay at our desks as they drilled through asbestos to put the fire alarm monitoring system in and could not get OSHA nor anyone else to allow us -- we were told, if you walk off, you're fired, as they drilled seven holes in a room with 35 people to put in the fire alarm system, that we did not even meet our own City Code. So, I think that it is extremely important that this Council realize what we do and how it affects the long-term cost. It would have been simple to have removed us to another area for a day while they drilled through that but OSHA was not extended to us, I had to breathe that for a two-day period and God knows what it will cost you down the line if there is damage to my lungs and 35 other people who have families that need to be supported, and we need to become pro-active on this Council at resolving the problems that face the daily worker because it saves us money in the long run.

The Chair:

Thank you, Mr. Smith. Any other comments? Thank you all and I appreciate the Labor Movement coming down this morning. Thank you.

Members of Council and to the audience, thank you for your patience. At this time I would like to call on the honorable Councilman Cohen, who has some guests in the audience here today. And, we will wait a half of a minute for some of the labor folks to leave the room.

Mr. Cohen:

Good morning. Thank you, Mr. President, members of Council. Could Martha Bell and Warren Mason come up please from the Alzheimer's Alliance.

Members of Council, it is my honor and privilege to read the following proclamation regarding Alzheimer's and the Alzheimer's Alliance of Western Pennsylvania.

MR. COHEN PRESENTS

No. 311 WHEREAS, Alzheimer's Disease is thought to be the most prevalent type of senile dementia, affecting approximately 60% of the nearly 4,000,000 Americans diagnosed with senile dementia; and

WHEREAS, The Alzheimer's Disease Alliance of Western Pennsylvania was formed in 1978 and is one of the nation's oldest and most respected voluntary health organizations; and

WHEREAS, The Alzheimer's Disease Alliance is devoted to helping victims of Alzheimer's Disease and their families; and

WHEREAS, The Alzheimer's Disease Alliance is in the process of building a model Care and Research Center devoted exclusively to the non-fragmented care of Alzheimer's Disease patients, the first Center of its type east of the Mississippi River; and

WHEREAS, the Golden Gloves Boxing Tournament brings together young and old with

varying abilities, but with a common interest in amateur fighting; and

WHEREAS, all proceeds from the 1994 Pittsburgh Golden Gloves Boxing Tournament will be directed toward the Alzheimer's Disease Alliance;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Alzheimer's Disease Alliance and the Pittsburgh Golden Gloves for their good work; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Wednesday, March 23, 1994 Pittsburgh Golden Gloves and Alzheimer's Disease Alliance Day.

MR. COHEN moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you members of Council. The reason that we are declaring tomorrow Alzheimer's Disease Alliance Day is because that is the final day of the boxing tournament that is going to be held, and everybody is invited, it is at Al Monzo's Palace Inn in Monroeville, it starts at 7:30. I promised I would give that plug. And it is really a terrific organization, that the funds from this tournament are going to be devoted to, because as all of you know, Alzheimer's is a very serious disability and one that affects many Pittsburghers, but the Alzheimer's Alliance of Western Pennsylvania is doing excellent, excellent work to work with the victims of Alzheimer's and to put together this model Care and Research Center and so many other services.

So, I want to thank the two people who are here today and to introduce them, one is Martha Bell, who is President of the Alzheimer's Disease Alliance of Western Pennsylvania, and the other gentleman who is here, who just got out of the hospital, so we are especially glad to have him here, is Warren Mason, who is the Chairman of the Golden Gloves Tournament and also the

Treasurer of the Alzheimer's Disease Alliance of Western Pennsylvania.

So, I would like to just thank you, commend you for all your good work, wish you luck in the tournament tomorrow and present you with this proclamation. Congratulations.

Ms. Bell:

Thank you Councilman Cohen and members of Council. It is indeed an honor to be here this morning accepting this award on behalf of the over 130,000 victims of Alzheimer's Disease and their families in Western Pennsylvania. We have well over 12,000 individuals just recently statistics indicate within the City of Pittsburgh area who are suffering from Alzheimer's Disease, and 25,000 within Allegheny County. So, we are looking at an enormous problem here.

The organization, the Alzheimer's Disease Alliance, has over 30 support groups providing services to families, helpful suggestions, from coping with the problem, ways to be able to access to the latest diagnostic techniques and therapies, and obviously ways in which the patient can get the very best care.

Our center, which we have been very long and hard at work at will provide jobs for over 200 people in the area, which indeed will then be replicated in further jobs as various nursing homes begin to realize the need for well trained specialized care for this patient.

The Golden Gloves event, which I would like Mr. Mason to address, has brought both our organization and the members of the Golden Gloves Committee, as well as people who are fight enthusiasts, together for a very common reason: There were three individuals who died from Alzheimer's Disease, two from the Pittsburgh area, that Warren will mention to you, and we, of course, are always interested in ways of trying to reduce the risks of Alzheimer's Disease or address the issue itself, because right now there is no known cause or cure for the illness.

Warren, would you like to share your thoughts on this.

Mr. Mason:

Thank you, Councilman Cohen and Council members, thanks very much for allowing us to come before you and we appreciate the opportunity to tell you what we are attempting to do here in Allegheny County and close to the Pittsburgh area regarding Alzheimer's.

But, for your information, the Pennsylvania Boxing Association had came to us some time ago and asked us if we would sponsor the Pittsburgh Golden Gloves, and after reviewing it and knowing that there were two very famous fighters right here from the Pittsburgh area, one of them Billy Conn, as you might know, the other one, Fritzzy Sivic, and the other one, Sugar Ray Robinson, who was from California, they all died from Alzheimer's Disease, we chose that we would go ahead and sponsor this, maybe somewhere along the line we would learn something about boxing and Alzheimer's.

As all of us know, Cashus Clay has been diagnosed as having Parkinson Disease, and we all know that is sort of related in that direction also, and we agreed then to go ahead and sponsor the Pittsburgh Golden Gloves, which is going to take place tomorrow night at 7:30 at Al Monzo's Palace in Monroeville. We are hoping to have a large turn out there, and we would appreciate any and all of you to come out, and with the understanding that all the proceeds does go towards the Alzheimer's Disease Alliance and this Research Center that we are attempting to build. For further information, all of us are volunteers, none of us receive any wages and/or expenses. All the work that we have done on this 12.6 million dollar project has been done by volunteer hours. There has been no one receiving any expenses or anything of that type. All the proceeds that are coming from the Boxing Association is going towards building this center, which is going to benefit this area.

I want to thank you again for allowing us to come here. Thank you.

The Chair:

Thank you, Mr. Mason. Thank you, Councilman Cohen. At this time I am pleased to call on Councilman Cusick. If the honoree would come forward, please.

Mr. Cusick:

Julia Sinwell, Ms. English, Principal Nichols.

I would like to start by saying that I think that all of the Councilmen should be very honored today that we have Ms. Julia Sinwell with us, because she is the first one from the Pittsburgh Area to receive the Horatio Alger Award, and I will read my proclamation and I am sure it will speak for itself.

MR. CUSICK PRESENTS

No. 312 WHEREAS, the Horatio Alger Association of Alexandria, Virginia was named after the 19th century author who wrote books about young men who went from rags to riches; and,

WHEREAS, The Horatio Alger Award was established in 1947 by educator Kenneth Beebe and Rev. Norman Vincent Peale to recognize Americans and high school students whose hard work had enabled them to transcend adverse circumstances to become successful; and,

WHEREAS, Julia Sinwell is a 17 year old Brashear High School Senior and resident of the Southside that has persevered though years of adversity for most of her childhood; and,

WHEREAS, at the age of 10 Julia's father passed away and at the age of 13 Julia was forced to have her mother hospitalized due to illness; and

WHEREAS, after being left without parents and having to help raise her brother with the assistance of her aunt in Monongahela and now with her uncle on the Southside, Julia decided that no matter how difficult her life became she wouldn't allow her past

to prevent her from working toward a more successful future; and,

WHEREAS, because of her impressive will to succeed against all odds, her academic excellence and a history of involvement in school and community activities, Julia Sinwell became one of only 72 students nationwide and the first Pittsburgh student to be selected as a recipient of the prestigious Horatio Alger Award.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends the achievement of Julia Sinwell and the honor she has bestowed upon our City and thank her for reminding all the residents in the City and especially our youth that regardless of the adversity that stands in our path we can persevere through hard work and self-determination.

FURTHER BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares Friday, March 25, 1994 as Julia Sinwell Day in the City of Pittsburgh.

MR. CUSICK moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Cusick:

At this time I would like to introduce the Principal from Brashear High School, we like to call him Dr. Bob Nichols. Would you, please.

Dr. Nichols:

Good morning. It is, again, a pleasure that Brashear High School has an opportunity to come before City Council. We are awfully proud of our distinguished alumni, Mr. Joe Cusick, from one of our previous classes at Brashear High School, and today we are going to have an eloquent speaker and the person, Julia Sinwell, to speak about her award, and we are going to have Ms. English, our Activities Director and Student Council Sponsor, to speak.

But, we are very happy to be here because we believe that Julia represents the larger population in Pittsburgh, a large segment of students and young people who go un-noticed, and not mentioning our newspaper, and not given enough time for our various media in our various media forms. Julia is a person who represents students who overcome adversity to be successful here in the City of Pittsburgh, and we are extremely proud of her. I was going to have Julia speak next and then followed by Ms. English, if that is possible.

Julia Sinwell:

Thank you. It is an honor to speak in front of Council today. I think the last time I was here I was with the South Side Local Development Company for the historic designation of East Carson Street. This is an honor and I cannot believe that this is happening. I really don't know what else to say, but I will be short, I have to go back to class. But, I never thought that any of this could happen, especially to me, but I guess good things do come your way no matter what. Thank you.

The Chair:

Thank you.

Ms. English:

Thank you. It was wonderful to see Joey again after so many years and that he is so successful. And, our Student Council is very, very proud of Julia. The first time she came to a meeting we asked her if she would do a leadership workshop for the Pennsylvania Association of Student Councils, which we are very involved with, and she said, yes, and went out and did a wonderful job, and we began to see her leadership potential just from the very beginning when Julia came to Brashear High School, and we are all very proud of her, and thank you very much for giving her this honor today.

The Chair:

Thank you very much.

Mr. Cusick:

I would just like to say, and I think that we also should applaud people like Mr. Nichols and Ms. English, because I know I when I went to Brashear I had problems when I started out in Brashear and it was people like those that showed their love and gave their support to me, and that is why I am where I am at today, and I would just like to applaud them.

There is somebody else here, Mr. Ricciardi is your Councilman, and I would like Mr. Ricciardi to have an opportunity to address.

Mr. Ricciardi:

Thank you, Mr. Cusick. Just on a personal note, colleagues, I just would like to say how proud the South Side people are to share residency with Julia; she has been a very big asset to the South Side community and with her internship with the South Side Local Development Corporation and all that she has added to getting us to historic designation of Carson Street and all her other volunteer activities with the South Side Community Council. So, she has given us a lot into the South Side and hopefully some day we could give you a lot, Julia. Thank you.

The Chair:

Thank you.

Mr. Cusick:

One other point, Mr. President, if I may. We also have today with us the Principal from Beechwood that you had recognized earlier, Dr. Patricia Cupac, and that also is my alumni. So, I have both of my schools here today with me. Thank you.

The Chair:

Very good. Thank you very much and congratulations.

At this time I am very pleased to call on Councilman Ricciardi, who I know has some very honored guests to bring up.

Mr. Ricciardi:

Mr. President and colleagues, at this time I would like to ask our friends from our Slovak community here in the City of Pittsburgh and the South Side, if you could please come forward. And, colleagues, if you will notice our young people today come in very special dress and that is in the Slovak tradition here in the City and elsewhere and in itself is very artistic and very difficult to make, obviously, to tailor.

I would like to begin to read the resolution as our honored guests come forward.

MR. RICCIARDI PRESENTS

No. 313 WHEREAS, the Prince of Peace Parish was founded in 1992 with the merger of St. Adalbert's, St. Casimir's, St. John the Evangelist, St. Josaphat's, St. Matthew's, St. Michael's, and St. Peter's parishes; and,

WHEREAS, the Prince of Peace Parish on South Side is celebrating their annual Slovak Mass and Easter Customs Program on Saturday, March 19, 1994 at the Parish Center; and,

WHEREAS, the annual Slovak Mass and Easter Customs Program began in 1991 at St. Matthew's Parish and continues to be observed at Prince of Peace Parish;

WHEREAS, the Prince of Peace Parishioners have picked up the mantle in answer to their commitment to promote and preserve ethnic awareness and cultural diversity in the community; and,

WHEREAS, numerous authentic native costumes, crystal stemware, dolls, books, records, figurines, embroidered fabrics will be on display and village crafts, such as braiding palms, dying Easter eggs and decorating eggs with needs and straw will be demonstrated; and,

WHEREAS, after Mass, a sample traditional Slovak Easter "breakfast" will be provided with shunka, pascha, sirez, kolbasy and pisanki (that's ham, sweet bread, cheese,

sausage and colored Easter eggs) for the enjoyment of all.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates the Prince of Peace Parish for demonstrating the fact that cultural diversity does not mean division, but merely challenges us to undertake a new and broader understanding of unity and brotherhood of family, parish and community.

MR. RICCIARDI moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, colleagues. Just very briefly, this past Saturday was a very successful day in the South Side, not only in terms of numbers, nearly 500 people who celebrated Mass and enjoyed the breakfast, but in terms of the message that the Slovak community was coming across with, and that was to be proud of one's heritage, to be proud of one's traditions and customs, and the very important aspect, and that is to pass it on, and I think that is what they have done very successfully in the South Side, a very proud people who have passed on their tradition and customs to their very young. And, on that note, I would like to ask Paul Zatack, Paul, if you could please come forward, accept the resolution and introduce our proud guests here.

Mr. Zatack:

Yes, I thank you, Councilman Ricciardi, and all members of Council.

Our parish was formed in 1992, it was a merger in the first clustering of the Diocesan Task Force. There were problems but because of the diversity and ethnicity of all the different cultures we had there, we, the Slovak community of St. Matthews and Prince of Peace Parish, have kept on the traditions that we started years back, we have passed it on to our children, and hopefully all the other nationalities in the

City of Pittsburgh will keep on the traditions. The small children are our future, not just in ethnic traditions but they are our future in the schools, in the learning, in the religious culture, in everything. Thank you.

Ondriona Zatack:

Hello. My name is Ondriona Zatack, and I am proud to be learning about my heritage now when I am young so I could pass it on to my children later on. Thanks.

The Chair:

Thank you all. Congratulations. Go ahead we will let --

Unidentified Speaker:

Excuse us. Tell them what your name is. This is Cotia Zatack. Tell them what you want. Sorry.

The Chair:

That is all right. I am sure she will be back here in her lifetime for a proclamation.

Thank you all and thank you for your patience this morning.

At this time I would like to move to Presentation of Papers.

MR. HERTZBERG FOR MR. DARKINS PRESENTED

No. 314 Resolution transferring the amount of Six Hundred Fifty Four Dollars and Fifty Three Cents (\$654.53) from Code Account 1545, Street Lighting, Index Code 154500, Bureau of Administration to Code Account LFT, Liquid Fuels Tax Trust Fund, Index Code 260406, Bureau of Operations, both accounts within the Department of Public Works.

Which was read and referred to the Committee on Finance.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in

which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Which motion prevailed.

MR. ONORATO PRESENTED

No. 315 Resolution providing for the issuance of a \$800.00 warrant in favor of Craig and Thistle Elias in settlement of claim for sidewalk damage, charging the same to Code Account No. 46, Judgments.

Also,

No. 316 Resolution providing for the issuance of a warrant in the sum of \$5,000 to Josephine Jackson c/o Stanley V. Ostrow, Esquire, Tucker, Arensburg, P.C., 1500 One PPG Place, Pittsburgh, PA 15222 in full and final settlement of first-party benefits for an alleged accident involving a City Police Vehicle and Ms. Jackson at the intersection of Liberty Avenue and 6th Street in the City of Pittsburgh on or about February 21, 1993.

Also,

No. 317 Resolution providing for the issuance of a warrant in favor of KPMG Peat Marwick in the amount of Eight Thousand Dollars (\$8,000.00) in payment for research services rendered in connection with a proposed bond issue to repay City of Pittsburgh electric utility charges, chargeable to and payable from Code Account 1063, Index Code 106302, Miscellaneous Services Department of Finance.

Also,

No. 318 Resolution providing for the issuance of a warrant in favor of Carnegie Institute, 4400 Forbes Avenue, Pittsburgh, PA 15213, in the amount of \$575,000 in payment of the Community Service Contract as authorized by Resolution 1453, effective January 1, 1994, approving the Operating Budget for 1994, from Code Account 86, Index Code 008607, Carnegie Institute, chargeable to and payable from Code Account 86, Index Code 008607, Carnegie Institute.—(SPONSORED BY

MR. ONORATO)

Also,

No. 319 Resolution transferring the amount of \$575,000 from Code Account 10, Index Code 001008, Accounts Payable - Prior Years, to Code Account 86, Index Code 008607, Carnegie Institute, chargeable to and payable from Code Account 10, Index Code 001008, Accounts Payable - Prior Years to Code Account 86, Index Code 008607, Carnegie Institute.--
(SPONSORED BY MR. ONORATO)

Also,

No. 320 Resolution authorizing the Director of Finance, City of Pittsburgh, and the Treasurer, Allegheny County to enter into an agreement to share information relating to property located in the City of Pittsburgh on a monthly basis. This agreement is part of the City/County cooperative services program.

Also,

No. 321 Resolution repealing Resolution No. 80, Item C, effective February 16, 1993, authorizing the sale of property in the 13th Ward of the City of Pittsburgh, in accordance with the Act No. 171 of 1984.

Also,

No. 322 Resolution repealing Resolution No. 386, Item D, approved on April 29, 1993, authorizing the sale of property in the 18th Ward of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

MR. SMITH PRESENTED

No. 323 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map Nos. 6 and 7, by changing from "M3" Light Industrial to District "S" Special District all that certain property bounded by: River Avenue the SP-2 zoning district boundary line located west of Herr's Island, the Allegheny River, and the Fort

Wayne Railroad Bridge, 23rd and 24th Wards.**(COUNCIL DISTRICT NO. 1)**

Also,

No. 324 Resolution approving execution of Contract for Disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and the below-listed Redeveloper for the sale of the following property for \$100.00 as per the property management and maintenance program **(PMMP SIDEYARD SALE)**--
(COUNCIL DISTRICT NO. 3)

Also,

No. 325 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Susan Mitchell for the sale of Block 175C Lot 21 in the Thirteen Ward of the City of Pittsburgh **(REARYARD)**--**(COUNCIL DISTRICT NO. 9)**

Also,

No. 326 Resolution approving execution of a Contract for Disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and Hill Community Development Corporation for the sale of Block 9M Lots 159-1, 159-2, 159-3, 159-4, 159-5, 159-6 and 159-7 in the Third Ward of the City of Pittsburgh **(RESIDENTIAL CONSTRUCTION)**--
(COUNCIL DISTRICT NO. 6)

Also,

No. 327 Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the below-listed Redevelopers for the sale of the following properties for \$1.00 per lot as per the property management and maintenance program **(PMMP SIDEYARD SALE)**--**(COUNCIL DISTRICT NOS. 7 AND 9)**

Which were severally read and referred to the Committee on Planning, Housing & Development.

THE CHAIR PRESENTED

No. 328 Communication from
Tom Flaherty, City Controller, submitting a
Performance Audit of Fleet Management,
Department of General Services, dated March
1994.

Which was read.

The Chair:

I need a motion to receive and file.

Mr. Cohen:

So moved.

MR. SMITH seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

Is there a motion to approve?

Mr. Cohen:

So moved.

MR. SMITH seconded the motion.

The Chair:

All in favor?

WHICH MOTION PREVAILED.

The Chair:

Just on this point. With this new Council, and we do receive a performance, or a fiscal audit of a City Bureau, I think it should go respectively to the Council member that chairs that Committee, in this case, it would be General Services, and if there is a desire to have a post agenda or review the recommendations in the audit. I think we need to play a greater role in the future on oversight between the Administration and the Controller's Office on these various audits.

At this time we move to Reports of Committees. Committee on Finance, Mr. Onorato.

REPORTS OF COMMITTEES

MR. ONORATO PRESENTED

Bill No. 329

Report of Committee on Finance for March 16, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 269

A Resolution entitled, "Resolution providing for the transfer of \$60,000.00 to the "Brereton Street, Trust Fund" Index Code #250217 which represents the City's share of the costs of Repairs to the Brereton Street Retaining Wall."--(PRESENTED BY MR. CUSICK)

Which was read.

Also,

Bill No. 281

A Resolution entitled, "Resolution repealing Resolution approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with the Act No. 171 of 1984."

Which was read.

Also,

Bill No. 282

A Resolution entitled, "Resolution approving conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, to the Urban Redevelopment Authority."

Which was read.

Also,

Bill No. 283

A Resolution entitled, "Resolution approving conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, to A.H.I. Development, Inc."

Which was read.

Also,

Bill No. 304

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, Pa 15219, in the amount of \$4,000.00 in payment for professional consulting services rendered to Councilwoman Michelle Madoff for the first quarter of 1993."—(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Well, with it being past the hour now, the nominees for the Board of Adjustment, we have a number of nominees, which I will present at the end of the meeting for our review and discussion.

You have heard the reading and titles of the bills, is there any discussion on the bills? Mr. Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President. On Bill 283, at this time I would like to ask my colleagues to recommit this bill for further study concerning the principals of A.H.I., I will have that information tomorrow, and at the very most it will only slow the bill down for one week. Motion to recommit.

The Chair:

Is there a second to the motion to recommit?

MR. SMITH seconded the motion.

The Chair:

It has been moved and seconded. All in favor on the recommitment?

Mr. Hertzberg:

Discussion.

The Chair:

Discussion on the recommitment. Mr. Hertzberg.

Mr. Hertzberg:

Mr. Ricciardi, just to refresh my memory.

Mr. Ricciardi:

Thank you, Councilman Hertzberg. Walter Street is in the Allentown of the City of Pittsburgh, District 3, and this morning I was asked some questions by the community group of the Allentown area. At that time the Department of Finance did not have the proper information to relay to the community group. So, for that reason we are asking that Bill 283 be recommitted, come up for discussion tomorrow, to find out the principals of A.H.I., obviously, which is very important to know.

The Chair:

Any other discussion on the motion for recommitment? All in favor of the recommitment? The motion carries, the bill is recommitted.

WHICH MOTION PREVAILED.

The Chair:

Any other discussion on any other bill? I would like my comments brought forward on Bill 269 regarding renovation of Brereton Street and the trust fund transfers, and also the commitments made by Director Reginella in relation to this construction activity that is 14 years overdue.

Any other comments? The bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 8 NOES none

(MR. O'CONNOR ABSTAINING TO BILL NO. 304)

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

MR. HERTZBERG FOR MR. DARKINS PRESENTED

Bill No. 330

Report of Committee on Public Works for March 16, 1994 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 298

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for street resurfacing programs such as ultra thin hot mix asphalt, hot mix asphalt, crack sealing, micro surfacing, cold in place recycling, sawing and sealing, asphalt testing, flexible pavement, asphalt milling and truck rental and providing for the payment of the cost."

Which was read.

Also,

Bill No. 299

A Resolution entitled, "Resolution further amending Resolution No. 1455, effective January 1, 1994, entitled "Resolution adopting and approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program; and approving the 1994 through 1999 Capital Improvement Program;" by increasing Code Account 3-01-01-0001-94, City wide Resurfacing Program, Index Code 875054 in the amount of Three Million Three Hundred Fifty Four Thousand (\$3,354,000.00) Dollars."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

In relation to Bill 298, the Administration has forwarded two accounts, and I would ask a motion for purposes of discussion, just the change in the various Code Accounts. There is a correction on the bill, the dollar amount \$5,404,000.00 for the overall Asphalt Re-paving Program remains the same, however, the specific Code Accounts have been corrected, and 1.4 million of that total 5.404 would come from unrestricted cash from previous Code Accounts in the Capital Fund.

So, I would like to entertain a motion on behalf of the Administration to correct the bill.

Mr. Cohen:

So moved.

MR. SMITH seconded the motion.

The Chair:

All in favor?

WHICH MOTION PREVAILED.

The Chair:

In terms of the bill. Now, the bill has been corrected in terms of its appropriate Code Accounts, the dollar value remains the same, but I would like to ask for the entertainment of a motion, and I have two motions in writing on the table here, whatever one will fly I will settle for.

Obviously you know my opinion on the Crack Sealant Program, I do not want it. We did ask specifically by this morning's vote for a listing of streets that were contemplated, that I would have thought would have already been figured out, given the fact that it is already the end of March, in relation to those streets that the Administration's paving program would include under the Crack Sealant Program.

Obviously I applaud the Administration for their tremendous effort at redoing many of the streets, close to 100 miles of streets this year as opposed to some 60 miles that have been done in the past, and certainly the quality of the re-paving will be more substantial than in the past, and I applaud that initiative and that reevaluation of the program. Where we part company is on the issue of one specific method and that is the crack sealant, I do not want it in my streets in Council District 7, we will wait for the time when our streets can be properly done. I do not want it in District 7. I am making an amendment to exclude it from the streets in District 7; if that won't fly, I am going to make a motion to remove the crack sealant activity of which about 50 to 60,000 in this bill is represented.

And, I would like to know what the pleasure of the body is. Again, we did not receive that information at this meeting, it would be forwarded to us in the future. I do think, though, we should move quickly on this bill and not hold it up because we are approaching the season. So, whatever I can get out of this body I am going to get in terms of the crack sealant issue.

And, at this time, the Chair is not really appropriately making a motion, but I would

ask that the motion I wrote up and on the table be entertained, and that is, one of the two motions. Mr. Cusick.

Mr. Cusick:

Yes. Your motion to amend the bill that read, the crack sealing method of street resurfacing should not be utilized, however, in Council District 7, I would like to ask you, Mr. Ferlo, to amend that to the City of Pittsburgh.

The Chair:

Well, there are two amendments on the table, and I would ask that you please make a motion on the second amendment, which is just to remove crack sealing from the legislation, which is the Amendment No. 2, that you have on your table there.

Mr. Cusick:

Absolutely.

The Chair:

Your motion then is --

Mr. Cusick:

Yes.

The Chair:

-- Motion No. 2, which is to remove crack sealant, which basically means the 5 million 404 cannot be spent on this specific activity.

It has been moved, is there a second for purpose of discussion?

Mr. O'Connor:

So moved.

The Chair:

Seconded by Mr. O'Connor for discussion. Mr. O'Connor.

Mr. O'Connor:

I was under the impression -- I am not opposed to holding it up, but shouldn't we give them a chance to test it and if they prove that it can be used, then go on?

The Chair:

I do not want it in my district, but it is up to you, guys.

Mr. O'Connor:

If we delete it, then we can always bring it back. How much is it? If we delete that part of it, if they test it and prove it to us, all of us, then it may be all right, again, it may not.

The Chair:

Well, there is a motion on the floor, and I guess you are speaking in opposition to the motion that is on the floor.

Mr. Onorato.

Mr. Onorato:

I think everyone knows my feeling about crack sealant, and with all due respect to Councilman O'Connor, I feel that it has been tested, that North Side, and I guess Council District 7 has been the guinea pigs and those guinea pigs right now are covered with tar. I do not want the crack sealant either. I think that we should delete it, realizing that if they do improve it and they could somehow prove it to this body, they could always come back up and be added back to the legislation, but at this point I do not think anyone here wants to hold up any street surfacing; therefore, I would recommend that we apply -- we remove it for the entire City and pass everything else and have them deal with the crack sealant issue separately with this body.

Mr. O'Connor:

Basically that was my intention. I am for taking it out right now and give them a chance to prove it. So --

The Chair:

I have no problem with that.

Mr. O'Connor:

-- let's take it out for the City, if they can come back and change our minds, then so be it.

The Chair:

Mr. Hertzberg.

Mr. Hertzberg:

I am satisfied with our Director of Public Works, Mr. Kraszewski, and I repose my confidence in that gentleman and in his expertise, which is greater than mine; he has sat down with us and told us, in his opinion, that he will find a way to make this work or not work, and I will give him the discretion to make the decisions on this and the authority to use crack sealant if he deems it appropriate, and I would be voting against this motion.

The Chair:

Thank you, Mr. Hertzberg. Mr. Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President. My comments parallel those of my colleague, Mr. Hertzberg, I believe that this crack sealant, we did have problems with it in the past, however, I believe when people come before us from Public Works with the correct expertise and say that those problems have been rectified, that we can move on with crack sealant.

Let me tell you my concerns, colleagues. Crack sealant, the way I understand it, is to help the longevity, the life of the street itself, to go on, to stop the cracks from either expanding or becoming potholed. My concern is that if Council members do not want crack sealant in their district and their streets begin to break up for any reason before the existence -- or before they should have, that now some colleagues

might say, well, now I need the street entirely resurfaced, and that would be, obviously, unfair to those who have accepted crack sealant.

Again, my colleagues have their positions, however, crack sealant, I will accept it being used in District 3, but I am also going to be looking very closely at the record where streets are going to be completely reconstructed and what streets are going to be resurfaced and obviously my district is not going to suffer just because we used crack sealant and our roads were able to last a little longer.

I remember one time I fought against, I believe, it was micro surfacing and at that time I was very opposed to it, however, I did concede to the expertise of the Department of Public Works and they proved to be right. So, I don't feel comfortable removing crack sealant and removing a toll from the Public Works Department.

The Chair:

I appreciate your comments. Again, I certainly disagree. Part of the reason why crack sealant is used is because the City cosmetically addressed the street in the first place by not using enough asphalt and doing the street properly. I am saying right now I do not want it in my Council district, let others take responsibility for it, it can be a next year's election issue, that is fine with me, I am running next year, somebody can campaign on that issue, they can vote against me. I do not want crack sealing in my Council district, it is a phony process, it is cosmetic, it causes havoc in our streets, in our driveways, on kid's shoes and it is not a reliable method. I have no problem having it on the South Side, if that is the way you want it, but I would ask for your consideration on the amendment.

Mr. Ricciardi:

No, I understand that, but just a point of order. Which motion are we voting on?

The Chair:

The specific motion is deleting crack sealant from the authorizing expenditure. I believe Mr. Onorato as well as Mr. O'Connor made the point that the Administration come back later on with an addendum after they prove -- in other words, the onerous responsibility is on the Administration -- that colleagues would once again consider the issue, but for purposes of this bill, the motion is to delete.

Any other discussion on the motion to delete? Roll call vote on the motion, the amendment.

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 6

NOES 2

VOTING NO:

Mr. Hertzberg	Mr. Ricciardi
---------------	---------------

Which motion prevailed.

The Chair:

The Bill 298 is amended.

Any other discussion on any other bills?

Again, I would point out that the Administration did not provide the information requested as of this meeting. We did receive a call from Director Kraszewski saying that he will supply the information, hopefully shortly. This specific request, if you remember -- if I remember correctly, was that we have a list of potential streets where this crack sealant was going to be contemplated; we would still like that information, notwithstanding the amended bill. There may have been other information that was requested, maybe the Clerk can refresh our minds from the discussion, but we would

still like that information, notwithstanding final acts on this bill today.

Mr. O'Connor, then Mr. Onorato, then Mr. Cohen.

Mr. O'Connor:

Just to follow up while we are on this subject. We have a post agenda after this meeting on the paving and snow removal and street cleaning, so hopefully they would have some of this information for us by today.

The Chair:

Thank you for reminding us about the post agenda. Mr. Onorato.

Mr. Onorato:

The other information requested, I know that the crack sealant on the North Side last year was done by an outside company, it was subcontracted out, and I ask the question, one, are we using that company again? And, hopefully the answer is, no. And, if the answer is yes, what are they doing differently than they did last year?

The Chair:

And I believe part of that question is, was the previous company disqualified as not being the lowest responsible bidder.

Mr. Cohen.

Mr. Cohen:

Thank you, Mr. President. I would like my comments brought forward on this bill from last Wednesday, where, the crack sealing issue aside, we discussed the entire question of the condition of our streets, which really are in horrible condition because of the freeze/thaw cycles that we have been through this winter, and the Administration made commitments there on re-paving those streets, and I want to very much support them in doing anything and everything that they can to re-pave our

streets and to, in fact, get them in better condition than they are now.

So, if I could have my comments brought forward on the bill as a whole.

(REMARKS -- SEE ADDENDUM)

The Chair:

Thank you, Mr. Cohen. Any other discussion on any of the bills? Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo
	Pres't)

AYES 8 NOES none

The bills having received the legally required number of votes are passed finally.

The Chair:

Councilman Smith, Committee on Planning, Housing & Development.

MR. SMITH PRESENTED

Bill No. 331

Report of the Committee on Planning, Housing & Development for March 16, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 275

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Finance and the Director of Parks and Recreation to convey to Monongahela Connecting Railroad Company a parcel of property located between 25th Street and 26th Street in South Side of Pittsburgh, as consideration for the acquisition of a parcel of land located between 21st Street and 24th Street in South Side of Pittsburgh, owned by Monongahela Connecting Railroad Company, and a bridge located at or on South 25th Street owned by Monongahela Connecting Railroad Company."

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferio

(Pres't)

AYES 8 NOES none

The bill having received the legally required number of votes passed finally.

The Chair:

Mr. Cohen, Committee on Public Safety.

MR. COHEN PRESENTED

Bill No. 333

Report of Committee on Public Safety for March 16, 1994 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 228

A Resolution entitled, "Resolution authorizing and directing the Director of the Department of Public Safety and the Chief of the Bureau of Building Inspection, in cooperation with the Board of Code Review, to conduct a review and to propose certain regulations and/or legislation for Council's consideration with regard to the use of battery operated carbon monoxide detectors in any and all structures within the City of Pittsburgh."--- AS AMENDED (SPONSORED BY MR. O'CONNOR)

Which was read.

Also,

Bill No. 243

A Resolution entitled, "Resolution providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Bill No. 284

A Resolution entitled, "Resolution amending Resolution No. 710, approved June 18, 1992, entitled providing for implementation of Residential Parking Permit Program (RPPP) Area "U" in the Central Shadyside community pursuant to Pittsburgh Code Chapter 549, so as to amend the streets included in Area "U"."

Which was read.

Also,

Bill No. 285

A Resolution entitled, "Resolution authorizing the submission of an application for federal assistance, a program description and certain certifications and the execution of a grant agreement with the U.S. Department of Housing and Urban Development for a grant in the amount of \$3,248,000 under the Home Investment Partnerships Program for fiscal year 1994."

Which was read.

Also,

Bill No. 286

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh designating URA as the City's Agent for implementation of the Federal Home Investment Partnerships Program, providing for the disbursement of funds directly to URA and compliance by URA with Federal Home Program Requirements."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills? Councilman Cohen.

Mr. Cohen:

Thank you, Mr. President. Just on Bill 284, dealing with permit parking in central Shadyside, I want to thank my colleagues for their support on this, it was a community process, a long-term process but one that I think resulted in the vast majority of people and merchants and residents in the central Shadyside corridor being supportive of this program, and would just like to thank my colleagues for their support on that bill.

The Chair:

Thank you, Mr. Cohen. Any other comments?

The bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 8 NOES none

The bills having received the legally required number of votes are passed finally.

The Chair:

Committee on Parks and Recreation, Mr. Hertzberg.

MR. HERTZBERG PRESENTED

Bill No. 332

Report of the Committee on Parks and Recreation for March 16, 1994 transmitting one resolution to Council.

Ayes:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Smith
Mr. O'Connor Mr. Ferlo
 (Pres't)

AYES 8 NOES none

The bills having received the legally required number of votes are passed finally.

The Chair:

Mr. Cusick, Committee on Engineering and Construction.

MR. CUSICK PRESENTED

Bill No. 334

Report of the Committee on Engineering and Construction for March 16, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 270

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or the use of existing Agreements, with a Consultant or Consultants, for Engineering Services in connection with the design of the replacement of the Overbrook Way Footbridge; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 271

A Resolution entitled, Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or Contract or Contracts, or the use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of Existing Play Areas; and

providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 272

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements, with the Pittsburgh Board of Education and "Playground Liberty And You" (PLAY) for reimbursement of their share of costs incurred during the Construction of the Liberty School Playground; and providing for the deposit of such reimbursements."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills? Mr. Cusick.

Mr. Cusick:

I would just like my comments brought forward from last Wednesday's meeting in regards to Bill 270.

The Chair:

Thank you, Mr. Cusick. Other comments? Mr. Cohen.

Mr. Cohen:

Thank you, Mr. President. I would like my comments brought forward on Bills 271 and 272, and on Bill 272 regarding a Cooperation Agreement between the City and a group called PLAY, which stands for Playground for Liberty and You.

I would just like to take a moment to commend the people of that committee who have really spearheaded the effort to renovate the Liberty School Playground, and that committee is made up of teachers and parents from Liberty School but also a number of the neighbors and community leaders there, and just to commend them for

their efforts in proposing the renovation, working with architects to make it happen, working with the neighborhood and the community groups, like the Shadyside Acting Coalition and, most importantly, for their fund raising activities.

As I mentioned last Wednesday, they have raised money from many different sources, including state government, the School Board, Shadyside Hospital, the merchants in the Shadyside area and also the neighbors and they are having a fund raiser coming up on April the 19th. So, I just want to thank them for all their effort and to say that this is a great example of how a broad based coalition can make improvements in the City of Pittsburgh.

(REMARKS -- SEE ADDENDUM)

The Chair:

Thank you very much, Mr. Cohen. I would like my comments brought forward also on Bill 271. I am sure Councilman Cohen has been very active on this Liberty Playground project. At the appropriate time we will have many of these folks come to chambers for appropriate recognition.

But, I would ask that Councilman Hertzberg, Chairing Parks, meet with Mr. Cohen, both have the experience of the Super Playground in Highland Park, Mr. Cohen's initiative and others with Liberty School renovation and other neighborhood based initiatives; Mr. Ricciardi has worked on Playgrounds in his area, and I am sure we have other examples. I really think we need to package this for Channel 17 on the City cable. I think we need to enlist other kinds of park renovation initiatives, calling on the private sector donations and the volunteerism.

I know this has been a theme of Mayor Murphy's town meetings but too often Council is only cast on the public channel with our meetings. I think we need to be a little more pro-active. These are excellent examples for us to illustrate to other neighborhoods throughout the City, some of the activities we are involved in and really be a call to arms, so to speak, to really

enlist their activism on a lot of the playground renovation and things of this sort. So, I would ask that you consider doing that.

(REMARKS -- SEE ADDENDUM)

The Chair:

Any other comments on these bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferio

(Pres't)

AYES 8 NOES none

The bills having received the legally required number of votes are passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

Under Motions and Resolutions, we have two different sets of appointments. It is the desire of the Chair to try to move these along as quickly as possible.

As a current member of the Housing Authority Board, we have not been able to meet for quite some time, there are a lot of spending authorizing resolutions that are being held up and we need to move quickly.

Secondly, I think every Council member has expressed concern regarding the Board of Adjustment having full complement, I know Councilman Cohen and I were at a jack pot last week, we acted in opposition to a community tavern located in the community of Penn and

Negley and the meeting was postponed and delayed.

At this time I would like to present these and ask what the pleasure of the body is, I would like to try to , with Mr. Onorato's permission, chairing the session tomorrow, move quickly to try to interview as many of these individuals as possible.

THE CHAIR PRESENTS

No. 335 Resolution appointing Jesse W. Fife, Jr., 1006 North Sheridan Avenue, Pittsburgh, Pennsylvania, 15206, as a member of the Zoning Board of Adjustment for a term to expire December 31, 1994.

Which was read.

Also,

No. 336 Resolution appointing Clifford Benjamin Levine, 6214 Wellesley Avenue, Pittsburgh, Pennsylvania, 15206, as a member of the Zoning Board of Adjustment for a term to expire December 31, 1995.

Which was read.

Also,

No. 337 Resolution appointing Regis D. Murrin, 200 South Linden Avenue, Pittsburgh, Pennsylvania, 15208, as a member of the Zoning Board of Adjustment for a term to expire on December 31, 1996.

Which was read.

Also,

No. 338 Resolution appointing the Honorable tom Murphy, 2210 Perrysville Avenue, Pittsburgh, PA 15214, as a member of the Housing Authority of the City of Pittsburgh for a term to expire December 31, 1997.

Which was read.

Also,

No. 339 Resolution appointing the Honorable Jim Ferlo, 1118 N. St. Clair Street,

Pittsburgh, PA 15206, as a member of the Housing Authority of the City of Pittsburgh for a term to expire December 31, 1997.

Which was read.

Also,

No. 340 Resolution appointing Ms. Marva Harris, One PNC Plaza, Pittsburgh, PA 16265, as a member of the Housing Authority of the City of Pittsburgh for a term to expire December 31, 1999.

Which was read.

Also,

No. 341 Resolution appointing Ms. Candice Henson, 1704 Brighton Place, Pittsburgh, PA 15212, as a member of the Housing Authority of the City of Pittsburgh for a term to expire December 31, 1998.

Which was read.

Also,

No. 342 Resolution appointing Mr. James Rudolph, 16 W. Woodland Road, Pittsburgh, PA 15232, as a member of the Housing Authority of the City of Pittsburgh for a term to expire October 11, 1995.

Which was read.

The Chair:

Members of Council, by way of information to this body, the initial appointments to Board of Adjustment came while we were meeting here today. By the end of the day we would ask the Administration to submit a formal biographical or some type of resume for these three individuals. I believe you already have a copy of a background sheet on the Housing Authority appointments.

What is the pleasure of the body? Mr. Ricciardi.

Mr. Ricciardi:

Point of information, first of all. Thank you, Mr. President. The letter before us, dated

March 22nd, 1994, states that Gerald Fox and John Noonan, formerly held by Noonan, formerly held by Mr. Fox, have they resigned their positions?

The Chair:

I believe they were serving past their tenure, which means, as the Code is written, that they continue to serve until such time that there is an appointment or confirmation. Obviously we would have to get a clarification of this question that you just asked.

Mr. Ricciardi:

Is the Zoning Board of Adjustment meeting this Thursday, Mr. President?

The Chair:

I believe so, yes.

Mr. Ricciardi:

So, they currently are serving past their time. If that was true, then why would one be expiring in 1995 and the other 1996?

The Chair:

The board, as you know, has staggered terms.

What I would ask is that your specific question be addressed to the Clerk as a follow-up from this meeting and the Solicitor and we clarify the question you are asking, both about the current status and/or the tenure staggered term situation. But, I did request, Mr. Ricciardi, respectfully, that, with Mr. Onorato's permission, we try to bring in as many of these appointments to the meeting tomorrow, I am also asking this body to consider recessing this meeting and meeting tomorrow to move on whatever ones we can at least agree on.

Mr. Ricciardi:

The concern I have, Mr. President, is that these positions are very important, they are very important for communities, neighborhood stability, but they are also very important for the direction of this City, obviously, because of the issues we deal with. Personally, I have been before the Zoning Board of Adjustment, many, many, many times

with all of your here, and I want to make sure, because we are talking about a complete change of the composition of the Zoning Board of Adjustment, and to be perfectly frank with you, Mr. President, I could receive the resumes this afternoon, does that give me enough time to interview these people tomorrow, I'm not sure.

I would like to tell the Administration, and after this meeting I will be trying to meet with them on this, that, for example, Mr. Noonan and Mr. Fox, I have been before them many, many times, my batting average is probably just fair to good, I've lost many, but the ones I've lost, I understood the reason I've lost, but these two people had been very fair, competent and effective for Council District 3, especially people know I have the amount of Zoning Board of Adjustment hearings that I have because of the change in the South Side community. So, I am very concerned that we are having a complete change in composition of the board.

I also would like to know if Mr. Fox and Mr. Noonan have resigned or have been asked to resign, and I would like to say this to all of these three gentlemen that come before us tomorrow, and that is, come before us not to talk about their past community involvement, and I will send this out as a, quote, as a friendly gesture or warning to the Administration, I hope they can talk about conditional use processes, I hope they know what a variance is, I hope they can talk to us about the entire Zoning Code, the Zoning sections in our Pittsburgh Code, concerning a difference in a variance in a commercial district. I hope they come before us and they are able to intelligently talk to us about the Zoning Code, and I in no way mean to embarrass any of these individuals but I hope they have background in zoning, and because I had such great respect for Mr. Noonan and Mr. Fox.

Let me also state that I have a concern that appears that all three candidates are from the East End, no one from the North Side, and no one from south of the rivers, and I venture to say, if one looks at the Zoning Board hearings and the neighborhoods they are from, that a great deal — amount of them would come from the North Side and south of the rivers, and that is a concern of mine in this case, because the ability for Zoning Board of Adjustment to know the neighborhood is very, very important.

So, again, Mr. President, I am willing and able to interview them tomorrow, but I do not want the resumes coming in a 4, 5, 6 o'clock today. If we cannot have the resumes at a reasonable hour, I am not prepared to interview them tomorrow.

The Chair:

Thank you, Mr. Ricciardi. Mr. Hertzberg.

Mr. Hertzberg:

Thank you, Mr. President. With respect to the Housing Authority appointments, I would be happy to go along with your suggestion. You do yourself serve on that board and are familiar with the situation there and I would defer to you on that. I would have no objection to moving that along.

Relative to the Zoning Board of Adjustment, though, I have no problem interviewing these people right away, if that is your pleasure, but I would like a little more time on the final vote of approval. This Zoning Board of Adjustment situation is not something that just sprung up today, at least with respect to the Chairman, Mr. Zottola, was elected by a vote on November the 2nd, County-wide, for the Court of Common Pleas, so at that point in time we knew we would have to get a new chair for that particular position, and I kind of wonder after all the time that has gone by without a chairman this year, why we suddenly have to fly through this, and I share Mr. Ricciardi's sentiments a hundred percent, that the other two members that are being replaced were good members of that Zoning Board. I have appeared there both as an attorney and as an interested party on many occasions, also, and I would also defer to Mr. Ricciardi as the person with a planning background on these matters. so that I would want to slow down a little bit on the Zoning Board, but the Housing Authority, that's fine.

The Chair:

Thank you, Mr. Hertzberg. Mr. Cusick.

Mr. Cusick:

Yes, Mr. President. I also have some concerns in regards to the amount of time that the Administration has allowed us to review these individuals, but more importantly, one of my

biggest concerns are, there are no appointees south of the river, nor on the north; these appointees were all from the East End, and I think that is something we all have to look at, and I was wondering if the Chair could tell me who are some of the other members of this board presently and where do they reside, I think that would be a very important question for all of us to know?

The Chair:

The current composition of the Housing Authority Board or the Board of Adjustment?

Mr. Cusick:

Board of Adjustment.

I have nothing in front of me in regards to the Housing Authority, nor have I seen anything.

The Chair:

I think all Council members received five appointments to the Housing Authority Board, which the Clerk just read into the record, if they are not on the table, I would ask someone from the Clerk's Office to Xerox them. you would have received them earlier in the week. There was an initial memo which I had to get clarified. Council's powers basically, according to State Statute on the Housing Authority, is to confirm the appointment of five of the seven members, and the Mayor at his discretion can appoint two. We have five before us at this point time for consideration.

I think all of your points are well taken. The Chair's desire to move this along is, one, to introduce the appointments, because I think all of us have felt that we need to have a full complement of all of these boards and was interested in trying to see who we could get here tomorrow, either Housing Authority appointments and/or board, and it is really a question of the pleasure of this body on final action on any of these appointments.

Mr. Smith.

Mr. Smith:

While I do know one of the --

The Chair:

But, again, I am just trying to get the process in the works.

Mr. Smith:

-- one of the appointees. My biggest concern matches with Mr. Ricciardi's concern, and that is, we create staggered terms so that there is a continuity of all of these boards, and it appears to me that all of a sudden everybody is expired and here is a brand new board that there are expired terms. Are they three-year terms? We got no forewarning on this. I believe they are three-year appointments, as they rotate through. We are changing the entire board. I will interview tomorrow if I receive something, but I still have a problem with that process.

And, as far as the Housing Authority Board, I have a problem with the explanation of who the residents are, because a resident to me would be an individual that is in a unit that the Housing Authority has day to day responsibility for and not subsidized passed through units to which the Housing Authority has no daily purview over the operation, maintenance, repair of those units. So, I have a problem, not with the individuals, but how they have been presented as resident -- over resident board members to have input on how the Housing Authority operates on a daily manner for policy decisions. So, I have a problem with what I perceive in those appointments of the two individuals, I believe.

The Chair:

Well, Mr. Smith, I think your point is well taken. I have confidence that the Mayor, personally, as well as his deputies and staff, took a lot of time and deliberations on the individuals that they are suggesting be appointed to these various authorities; and, two, to recess this meeting, so that if we did successfully get any of them here to begin the interviewing process, recognizing that we have seven or eight different individuals, that we can at least move along those that we comfortably feel that we can support in terms of tomorrow. There is no way -- and there is no intention here to expedite for purposes of not having a full debate or discussion or review, it is just in recognition of the numbers of individuals. I would like to at least see whatever we can get to the agenda tomorrow,

recognizing these people haven't even yet been notified, as well as next week's meeting. So, again, I want to clarify that.

Secondly, in moving along the appointments, I want to make it clear, because I am friends with both the gentlemen, Mr. Noonan and Mr. Fox, my support for the appointments is not withstanding my pleasure and my support and my gratitude to two gentlemen who have served the board and served the City well, and I hope we are -- at least I personally want to make that clear.

It is really up to the pleasure of the body, I boards. Again, I am just trying to introduce and move along the process. And, as well, Mr. Smith, I know in the past Mr. Ricciardi and others, when we have moved to interview individuals on the City Court, at times we have asked the Chief Magistrate to come forward to ask policy issues, it may be appropriate that we ask the Mayor, Deputy Mayor, to attend on issues of the Housing Authority policy that you are raising and with the Board of Adjustment questions that are being raised.

Again, I am trying to introduce this, move it along and not in any way rush this Council to any process, that is not the interest here.

Mr. Smith:

Well, Mr. Chair, I would like to place a motion on the floor that we convene as soon as possible the individuals to come before us from both the Housing Authority and the Board of Adjustment, so that we can continue the process.

The Chair:

Very good. Can I ask one question. Is it possible we can move on my appointment and the Mayor's appointment, or are we asking myself and the Mayor to also come before this board?

Mr. Smith:

I have no -- unless you are living in public housing, you are not one of my concerns of the appointments.

The Chair:

Thank you. Could we first have a motion to approve the appointments of the Mayor to the Housing Authority Board and the Council President.

Mr. Hertzberg:

So moved.

The Chair:

Is there a second?

Mr. Ricciardi:

Which appointments are we approving, Mr. President?

The Chair:

I am separating out the motions that we approve the appointment of his Honor, Tom Murphy, to the Housing Authority Board, as well as the Council President, Jim Ferlo, to the Housing Authority Board. Is there a second?

MR. SMITH seconded the motion.

The Chair:

All in favor?

WHICH MOTION PREVAILED.

The Chair:

Those appointments are made. That leaves us three to conduct on the Housing Authority for purposes of interviewing, and three at the Board of Adjustment level. If I understand the motion, it is to move quickly and interview them and move that process along, it does not negate Council member's prerogative in terms of final action or deliberations.

Mr. Onorato.

Mr. Onorato:

Mr. president. I just want to say I agree with you. I think we should get as many in here as possible tomorrow just to get the process started.

If there is any concern on one particular individual or on all of them, we can always hold up on the final vote, but if they can make it tomorrow, I have no problem with starting the process.

The Chair:

The motion has been made to move along this process, receive the introduction of these nominees and to the Clerk's Office, to invite these individuals, recognizing the time and the scheduling, and see who we can get here tomorrow morning.

Thanks to Mr. Onorato for being cooperative in terms of the agenda.

Any other discussion on the process that we are embarking on?

All in favor of this motion? Opposed?
The motion carries.

WHICH MOTION PREVAILED.

The Chair:

There are two other motions, just housekeeping, excuse the absent members, and approve the minutes, and I will turn to colleagues. Motion to excuse the absent member and to approve the minutes.

Mr. Onorato:

So moved.

MR. SMITH seconded the motion.

The Chair:

It has been moved and seconded. All in favor? Motion carries.

WHICH MOTION PREVAILED.

The Chair:

At this time I would call on others who may have points under Motions and Resolutions. Mr. Hertzberg.

Mr. Hertzberg:

Thank you, Mr. President.

Mr. Smith:

Point of order.

The Chair:

Thank you, Mr. Smith. go ahead.

Mr. Smith:

I did not receive nor do I have in front of me any minutes that we just approved.

The Chair:

Thank you, Councilman Smith. I thought we had the minutes on the table.

Mr. Hertzberg:

I thought we only approved the absence of one member.

The Chair:

Actually my motion was both, the approval of the minutes and to excuse the absent member. Is there a reason why the minutes are not on the table?

We will withdraw that earlier motion. Let's strike the earlier motion and let the motion stand solely as a motion to excuse the absent member. Thank you, Councilman Smith, for embarrassing us all.

Mr. Hertzberg:

I just wanted to report back to City Council and everybody else that cares relative to the resolution that we passed a few weeks ago to amend the City Charter to allow Pittsburgh Public School employees to work for the City during the summer months. We had to file a petition in the Court of Common Pleas to have that placed on the May 10 ballot. On Friday, Judge McLean of the Court of Common Pleas approved our petition and, in fact, that Charter amendment will be placed on the ballot on May the 10th, and I would encourage everyone to encourage all the voters that they

know to vote "yes" for the amendment of our City Charter, it will be a big help to our CitiParks and to our swimming pools if we could have the Pittsburgh Public School employees help us out.

I also wanted to announce, this Saturday we will be having the Mt. Washington Clean up Project, starting at 9 a.m., and this is an interesting idea, it is something new, it is involving the removal of trash from the Mt. Washington Hillside between the two inclines, and we are going to have the involvement, of course, of the Mayor, who supports this and will be involved. The partners in parks Program, which is involved with CitiParks, the Explorer's Club of Pittsburgh, and they are going to be propelling down the hillside with empty bags of garbage at first and then they are going to fill them up and they are going to send them up -- or down via rope.

We have also got help from the Mt. Washington Chamber of Commerce and the Mt. Washington Community Development Corporation, and it is a nice activity. It is going to help clean up the City, and everyone is invited to participate this Saturday morning starting at 9, and if you want to undertake some propelling, here's your chance.

The Chair:

Thank you very much, Mr. Hertzberg. Other comments? Mr. O'Connor.

Mr. O'Connor:

Just to follow-up on one comment, I was at Taylor Allderdice yesterday and two young people came over to me and said they were in training and getting ready to apply for a Life Guard job. so, evidently this year we are hitting the young people in the City schools that we were supposed to be doing and hopefully it is working much better this year.

The Chair:

Very good. Thank you very much. Mr. Cohen.

Mr. Cohen:

Thank you, Mr. President. Yesterday Mr. Robert Currin resigned from the Pittsburgh -- as

Director of the Pittsburgh Film Office. Although the Oscars are over last night, I think that we can all agree that he should receive an Oscar for Best Director of the Pittsburgh Film Office; he has done a terrific job and has really been able to galvanize that office, to be able to bring producers and directors to the City of Pittsburgh.

I think a lot of people do not understand what the Pittsburgh Film Office does, but it tries to, as I say, bring producers and directors to the City of Pittsburgh so that they can make movies here in the City, and although there have been times when neighborhoods have been affected, I think, by the film shooting, including neighborhoods have been affected, I think, by the film shooting, including neighborhoods in my district, the Film Office has worked hard to make sure that the effects have not been too negative, and, moreover, the people of the City of Pittsburgh I think have seen what a terrific asset this has been to the City. In the four years that he has been there and the four years that the Pittsburgh Film Office has been in existence. As Mr. Currin says in his resignation letter, there have been 37 films that have been made in the City of Pittsburgh and over 128 million dollars have been spent in the Pittsburgh area and thousands of jobs and business opportunities created.

So, one thing I would like to do, Mr. President, is to make a motion to send a letter to Robert Currin thanking him for his terrific work on behalf of the City of Pittsburgh, and at the same time, though, I think we need to make sure that the future of the Pittsburgh Film Office is secure, and that includes both a new director and to make sure that the funding source is one that will continue through the years.

As far as the funding source is concerned, Representative Ralph Kaiser, State Representative Ralph Kaiser -- maybe he's calling right now, who knows? -- he had said in the -- his statement in the paper this morning, that he is going to introduce legislation to provide \$270,000.00 to the Pittsburgh Film Office for next year. As part of my motion I would like to have a letter go to him asking him what the state delegation's plans are for the Pittsburgh Film Office.

I am sure you recall, Mr. President, and other members that when the Pittsburgh Film Office was going under, it was the Pittsburgh City Council that came to their aid with a grant and one

that also challenged the State Legislature to come up with money, and they are able to do that, but there isn't -- and we have talked about this -- there isn't a permanent funding source at that Film Office, and that is what we have got to have.

So, let me restate it, I would like to move that we send a letter commending Robert Currin for all his work, and also send a letter to State Representative Kaiser asking him what his plans are with respect to the future of the Film Office.

And, finally, Mr. Currin is going to be the Manager of Productions for MGM Studios, let's make sure that we put in that letter that any new film that MGM comes up with that they give Pittsburgh first cut at a site for the making of that film. Thank you.

Mr. Hertzberg:

Second all motions for Mr. Cohen.

The Chair:

Thank you, Mr. Cohen. I would ask that you help draft the appropriate memos and also we can collectively sign the memo, especially the commendation to Bob, who has been a tremendous asset and it is a loss for our City.

Any other discussion on these two motions? All in favor? Motion carries.

WHICH MOTION PREVAILED.

The Chair:

Other discussions? Mr. O'Connor.

Mr. O'Connor:

I just received word from Director Ralph Kraszewski that there are two major problems, two landslides and a major sewer problem, and he requested that we postpone our post agenda.

The Chair:

The post agenda is postponed for today, I am sure we will come back, as Mr. O'Connor has raised some important issues about asphaltting and snow removal and street cleaning and things of this sort.

Two brief announcements of the Chair. the Launch Boat/Riverfront Clean up, this will be the second year in a row, it was a tremendous activity, 60, 70 volunteers showed up last year, it will happen once again on March 26 from 10 a.m., till 12 noon, volunteers can meet at the end of 43rd Street in Lawrenceville. This is in time to — in the second year in a row, to continue to clean up, roughly, a seven-block area along the riverfront, and more importantly, to expose the riverfront to our neighborhoods and to our businesses. We have a great riverfront in Lawrenceville and we continue to try to make efforts to clean it and begin to focus some development attention along that corridor.

Secondly, I did want to thank the COP Officers, mayor Murphy and his wife Mona and their son and all the volunteers from the boys and girls club. We had a tremendous basketball game Friday night at Arsenal School, it was a lot of fun, and the COP program should be credited and commended for this initiative, it is a wonderful event. I know Mr. Hertzberg has worked on the one in the past in Sheridan, we have one coming up in the Garfield community with teachers from Fort Pitt School that we will be promoting, and I am sure other Council members are working on these games in their areas. It is a tremendous activity, there's a lot of enthusiasm from the folks in the community and I applaud all the folks involved.

At this time, if there are no other issues, I would ask that we consider a motion to recess this meeting, so that in the event that there is support for any of the nominees for tomorrow, that we can move on them, especially if there is support for the Chair of the Board of Adjustment, but again, I am not asking or proposing that we, in any way, expedite this, I am only leaving open the possibility, as I hope the case will be, that some of the nominees will, in fact, be supported and we can move them tomorrow. So, I respectfully ask the consideration for that motion.

Mr. Onorato:

So moved.

MR. SMITH seconded the motion.

The Chair:

It has been moved and seconded to recess this meeting and meet again on Wednesday, March 23rd, 1994, i.e., tomorrow, immediately following Council's Standing Committees Meeting.

WHICH MOTION PREVAILED.

The Chair:

Any other matter before the body? If not, this meeting stands recessed. Thank you.

And on the motion of MR. ONORATO

Council recessed.

Pittsburgh, PA
Wednesday, March 23, 1994

And the hour of recess having expired, Council reconvened.

UNFINISHED BUSINESS

The Chair:

The Recessed Meeting of Council Legislative Meeting is now in session. At this time I would ask the Clerk to read the bills on the Housing Authority appointments.

The Chair presents

No. 340 Resolution appointing Ms. Marva Harris, One PNC Plaza, Pittsburgh, PA 15265, as a member of the Housing Authority of the City of Pittsburgh for a term to expire December 31, 1999.

Which was read.

Also,

No. 341 Resolution appointing Ms. Candice Henson, 1704 Brighton Place, Pittsburgh, PA 15212, as a member of the Housing Authority of the City of Pittsburgh for a term to expire December 31, 1998.

Which was read.

The Chair:

Is there any discussion on the bills as read?

I would like my comments brought forward.

(REMARKS --ADDENDUM)

The Chair:

Any other discussion or comments?

You have heard the reading of the resolutions, hearing no other discussion, the time is appropriate for final action and the vote.

Mr. Hertzberg:

Point of order.

Yes, there is one thing that I did want to discuss concerning the Housing Authority appointments.

The Chair:

Well, now is the time to discuss them before the vote. Mr. Hertzberg.

Mr. Hertzberg:

Thank you. I was mesmerized, apparently, by the last speaker --

The Chair:

Hopefully by my oratory, but other than that, Mr. Hertzberg.

Mr. Hertzberg:

Mr. Smith, in questioning some of the candidates, I think you made reference to the fact that we had -- none of these candidates were residents of real Housing Authority communities, such as St. Clair, Terrace Village, Northview Heights, Broadhead Manor, and I mean my questions are more geared to you because I am kind of interested in the situation, and I think you are making a good point. Is that the situation with the current board?

Mr. Smith:

May I?

The Chair:

Mr. Smith.

Mr. Smith:

As the board is structured and as we are approving these appointees, there is no one that represents the Housing Authority tenants, to which the Housing Authority has daily operation and maintenance responsibilities, yes.

Mr. Hertzberg:

Has that always been the case, to your knowledge?

Mr. Smith:

In my past 20 years of knowledge there has always been a resident of the housing on the board.

Mr. Hertzberg:

Oh, there has been?

Mr. Smith:

Yes.

Mr. Hertzberg:

Now, with the vote here, will that pretty much complete the membership?

Mr. Smith:

I believe that there was yet another seat available --

The Chair:

May I clarify this, Mr. Smith.

Right now, as you know, there is a seven-member board at the Housing Authority, on this board presently -- actually not presently because all of the individuals, except for myself and Dr. Reed from Negro Educational Emergency Drive, who

sits on the board, the others have resigned; in the previous category of board members, two individuals, two women, older women, who reside in Public Housing communities, did, in fact, serve on the board and have served, in fact, for many years. They are no longer on the board. If we vote in favor of all the nominees that are on the agenda today, in addition to already having approved myself and Mayor Murphy to sit on the board, I believe that puts five members on the board, and we at least have a legal and operating board. There are still two more appointments that the Mayor can unilaterally make under State Statute to the board. He had initially expressed an appointment of an individual from K. Leroy Irvis Towers --

Mr. Smith:

Which is not Public Housing.

The Chair:

I understand that, Mr. Smith, I am only clarifying something.

-- that those appointments need to be clarified. I believe right now the only official notification that we have received on Council are the five that we are being asked to nominate and approve, of which three have just been read. So, it appears, at least, that there may be two existing vacancies, and Mr. Smith and others have raised this issue about tenant representation and I am sure the Mayor will respond accordingly to that issue.

Mr. Hertzberg:

Well, I just want to go on the record as being in support of your position on that, Mr. Smith.

Mr. Smith:

Thank you.

The Chair:

Thank you very much. Mr. Ricciardi.

Mr. Ricciardi:

Thank you. Mr. Ferio, those two remaining positions, you mentioned that Mayor

Murphy can make them unilateral, does that mean that they do not come before us for a vote?

The Chair:

They come to us for a read and adopted but not for any approval process.

Mr. Ricciardi:

Do we have any correspondence from the Administration saying that one or possibly both of the remaining seats would be filled by residents of Public Housing, do we have anything on this side of the --

The Chair:

As President of Council, I do not believe we have received, to the body, nor I do not believe the Clerk has received -- again, let's remember, last week, if you remember, Mr. Smith certainly recalls this, we did receive an initial memo from the Mayor making a number of appointments and that letter expressed that unilaterally these individuals would serve on the board. I had to respond quickly that under the State Statute five must be nominated and approved by Council, two can be made. So, I am very unclear at this point. Legally I do not believe that we -- we have not received any official notification that other individuals, the remaining two seats have, indeed, been filled. So, I cannot really answer your question, unfortunately.

But, even under the previous letter, it would have only been one that would have been nominated by the Mayor unilaterally, leaving at least one remaining seat open.

Mr. Ricciardi:

Well, my position is clear, and I support Councilman Smith and Councilman Darkins, who came before us today, and that is that at least one of the seats should really be held by a resident of Public Housing, and without -- we must be very careful because I feel as though if we approve today's without some sort of commitment from Mayor Murphy, we really cannot guarantee that a resident from Public Housing will sit on that board. Am I correct, Mr. Smith?

Mr. Smith:

That is correct.

Mr. Ricciardi:

And I really believe that a resident should sit on the board. I in no way believe Mayor Murphy will not, let me state for the public, for the record, will not -- I think he will appoint someone, a resident, to sit on that board, however, I feel as though today, that if I vote to approve both that -- if it does not happen or occur, then I should take some responsibility or blame on that.

Let me just say, Mr. Smith, because I missed your earlier comments, I was talking to a constituent outside. Was it your position that we should hold up on one or both of the appointments until we receive some sort of correspondence from Mayor Murphy?

Mr. Smith:

No, because I believe the contention that the Housing Authority needs a board ASAP, but I would trust that the pressure from my colleagues to get the Administration to make at least one of his appointments available an actual tenant that faces the day in, day out trials and tribulations of a mammoth organization.

Mr. Ricciardi:

So, your position is we can move today with these two and send a letter to Mayor Murphy stating our position that we should have someone on the board?

Mr. Smith:

Yes, and we have the President of our Council, who also sits on that board, and I think that he could probably do quite a bit to ensure that there is someone who faces the day in and day out life.

The Chair:

Just to clarify one thing. Again, I apologize. Just so we are clear. We interviewed and are taking final action on two of the nominees, Marva Harris, Candice Henson. We approved yesterday in final action Mayor Murphy and myself. But, please remember that next week and already introduced is the nomination and Council's approval of Mr. Rudolph, who could not be here today, but we are already in receipt of his

nomination, he will be here, I believe, next Wednesday. So, that actually brings to six right now the legal board members. So, there would, in fact, only be a question right now of one potential vacancy, which hopefully would address Mr. Smith and other colleagues and community concerns that have been raised about tenant representation.

So, I just wanted to clarify that so that there is no confusion.

Mr. O'Connor:

Mr. O'Connor:

Yes, I want to clarify, I know Mr. Rudolph and I think he is an outstanding candidate, so I am hoping that by voting for these we are not bypassing him; he will still come next week?

The Chair:

No, we are in receipt of his nomination, he could not be here because of the short scheduling, he is out of town, he will be here next Wednesday, and he apologizes for that.

Mr. O'Connor:

Presuming we can still put Rudolph in, then we would still have one opening to find the person we are looking for --

The Chair:

Well, we don't find it. At that point --

Mr. O'Connor:

Well, the Mayor I mean.

The Chair:

-- the Mayor would unilaterally have the seventh seat. I would hope that he would hear the concerns of this Council, and maybe as a suggestion we would forward to the Mayor a formal letter expressing this concern about tenant representation.

Mr. Ricciardi:

I have another point of clarification, when is your next scheduled Housing Authority Board meeting?

The Chair:

Tomorrow morning at 10 a.m.

Mr. Ricciardi:

And there is business that must move forward.

The Chair:

There are two board meetings backed up.

Mr. Ricciardi:

See my concern is, now, that we just -- I thought that we had -- at least we had two seats out there, if Mayor Murphy had a commitment to someone who did not live within Housing Authority, it would be down to one, but it appears now there is only one because Mr. Rudolph is coming to the --

The Chair:

Mr. Ricciardi, we have not acted finally on Mr. Rudolph's appointment.

Mr. Ricciardi:

That is correct, but I know the reality of appointments when they come to this body, and I voted many times against appointments on an 8-1, the reality is that when appointments come before this body, they usually, more than not, 99.9 percent, are confirmed. So that would only leave us with one seat available for Mayor Murphy to appoint a resident of Public Housing.

Mr. Smith:

Mr. Rudolph does not have to come before us, does he?

The Chair:

Yes.

Mr. Cohen:

Mr. Chair, what I would suggest is --

Mr. Smith:

Well, then who was the unilateral?

The Chair:

Excuse me. We are going to have a hard time following this meeting. Mr. Smith has the floor and then Mr. Cohen. Mr. Smith.

Mr. Smith:

Who did he appoint unilaterally if we are approving our five?

The Chair:

As I stated earlier, let's back up here, just to clarify. Initially Council members received and the Clerk's Office received a communication from the memo early last week, I believe it was, unilaterally indicating his appointment of, I believe, seven members to the board, including myself and the Mayor. I reminded the Mayor quickly and the Law Department that under the State Statute, in fact, he has to forward five of the nominations to this Council for review and approval and two under the State Statute can be made unilaterally by the Mayor. The subsequent follow-up memo from the Mayor only indicated the names that we have received and have interviewed. Mr. Rudolph, who we will interview next week, Marva Harris, Candice Henson, who we have interviewed and will act on today, possibly, and we took action yesterday to approve myself and the Mayor, who we would have actually had to bring to the table but we chose not to do that, for obvious reasons. That technically leaves at this point, at least to the knowledge of this Council, one remaining vacancy. Now, whether or not he has filled that, or whether or not who that person will be, to be quite frank with you, I do not know at this time. There was an individual who was suggested initially, I do not know if it was re-submitted or if it is the Mayor's intent, and I apologize for not remembering her name, but I believe it was a resident within the K. Leroy Irvis Towers, who had, for many years, lived in the Public Housing community and currently resides in a public non-profit corporation, high rise, known as K. Leroy

Iris Towers, which is not a building operated nor managed by the Housing Authority, as Mr. Smith certainly knows, since I think he serves on that board and is very instrumental in the construction of that high rise.

So, I just wanted to try to clarify that, or maybe I have muddied the waters even further, I am not sure.

Mr. Cohen.

Mr. Cohen:

Mr. President, given that statement, I would suggest what we do is we vote on these two nominees right now, and at the same time send a letter to the Mayor respectfully asking, as Mr. Smith said, that he fill the one remaining vacancy with a person who is currently a tenant in Public Housing, and that we move on with this.

The Chair:

Obviously I concur. Any other discussion?

Mr. Hertzberg:

Yes, that the Clerk will prepare that letter.

The Chair:

Yes, Mr. Hertzberg.

That action suggested by Mr. Cohen will be taken by the Chair.

Any other discussion on the matter? If not, we are now ready for final action on the resolutions. All in favor of the passage of the resolutions will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Cusick	Mr. Smith
Mr. Hertzberg	Mr. Ferio
Mr. O'Connor	(Pres't)

AYES 7 NOES none

The resolutions having received the legally required number of votes are passed finally.

The Chair:

Is there a motion to adjourn?

And on the motion of MR. COHEN

Council adjourned.

(BEGINNING - MESSRS. FERLO AND COHEN'S COMMENTS ON BILLS NO. 271 AND 272, WEDNESDAY, MARCH 16, 1994)

Mr. Cohen:

Motion to approve for purposes of discussion. Let me give a brief introduction.

This is as I described in the last bill, the bill that will allow the City to receive the moneys that have been raised by the community and by particularly the members of the organization called PLAY. I really want to take an opportunity to commend them for their hard work. They have tried to overturn every stone to find money for this playground and as Councilman Ferlo said, it is a completely unsafe playground. Many children have gotten injured, luckily minor injuries but nevertheless injuries including broken bones, etc., on this playground, it's been around since 1974 and it has not been renovated at all since then and the play equipment that's there, it's wood so there are a lot of splinters and it's unsafe and it's high and as many of our playgrounds it has a concrete floor.

As I said, they have raised money from many different sources including the School Board and the state legislators who represent the area and the way they did that I thought was quite interesting because they tried to get matching grants from each legislator saying saying to one, "Well, if you put up \$3,000.00 we can get the other one to put up \$3,000.00 and ultimately they raised about \$17,000.00 from the state legislators and Shadyside Hospital is going to contribute \$25,000.00 and the School Board \$50,000.00 and the rest is going to come from the community at large and that is what this legislation is. Now, as far as the technical aspects of the legislation, I want to make absolutely sure especially since they are raising this money for this purposes that this just doesn't go into the City's General Fund and it goes back to Liberty School.

One last thing and that is I do want to thank the Director of Engineering and Construction, Fred Reginella and particularly not only Fred but also Bruce Padoff Tom Olivio who have all spent significant time on this for your help. Now how do we ensure that this comes back to that school?

Mr. Reginella:

We need to submit one additional bill at some point in the future whereby we would restore the amount of moneys that we are using for Liberty School playground into the line item so that it can be reused and we do that by amending the budget to the tune of whatever that reimbursement is which is roughly \$100,000.00. We did not want to do it at this point because we

want to wait until the money is returned to the City. Once we receive the reimbursement then we can transfer that money back into the line item.

Mr. Cohen:

Can we not -- I realize we need to have a future bill but would you be opposed to amending this bill to at least explicitly say that this will be used for the purposes of renovating Liberty School Playground?

Mr. Reginella:

I don't have a problem with that provided it is legal for us to do that at this point.

Mr. Ferlo:

This bill as it's worded correctly states that this money will be used for Liberty School, so that's not the problem and I'm not raising that issue.

Separate and apart from this action, at some point in the future we will actually have a need, at least it's my desire, to make sure that the moneys that we are putting into this project and we will be recouping some of those costs, that that money not going into E and C's unrestricted cash account which means they could use it for anything. I want those replenishment funds to go back into a code account that would specifically increase the E and C's ability to do other parks. So later on we need from Mr. Keller or from the Department a budgetary amendment to the Capital Budget upping the figure to allow replenished funds to go back into other park use.

Mr. Cohen:

That's fine, I understand. Director, do you want to do that or should we?

Mr. Reginella:

We are obligated to do that.

Mr. Cohen:

Okay.

Mr. Reginella:

If we establish a trust fund for this endeavor then of course the moneys would have been returned to the trust fund but that's not the case.

Mr. Cohen:

Thank you, Director and thanks to my colleagues as well.

The Chair:

All in favor? Opposed? The ayes have it.

(END OF COMMENTS)

PREPARED BY: MARY ANNE BRUSKA
STENOTYPE REPORTER

BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 298, WEDNESDAY,
MARCH 16, 1994)

Mr. Cohen:

-- Mr. Chair, please if I may. I think we should have a bill that pertains to the City of Pittsburgh as a whole. I don't think that is proper and Mr. Ferlo, I'm going to support your amendment but I do not think it's proper to say that certain city services should or should not be done in our Council districts. I really don't think that's proper for a bill that clearly pertains to the city as a whole. I think the bill should be use it or don't use it but not use it Highland Park but don't use it in Homewood, I don't think that's proper.

The Chair:

I will be more happy to have the amendment read to eliminate cracked sealing, that's fine with me.

Mr. Cohen:

Director Kraszewski, I'm very happy to see these bills because of the condition that our streets are in. We have undergone so many freeze/thaw cycles, not only this winter but but in the last winter as well and it has done very, very serious damage to our streets. I can't recall our streets, at least in my section of the city and I think in the other sections that I've seen as well in as poor condition as they are today so I'm happy to see these bills. Let me ask you a few questions about them. One is the funding. There are two bills here, one for \$5.4 million and the other for \$3.4 million. How is that broken up?

Mr. Kraszewski:

The relationship is the \$3.4 million is to increase the funding that was originally there, so the \$5.4 million is the total aggregate which would provide for the in-house and outside procedures and the \$3.4 million is inclusive in that.

Mr. Cohen:

The total amount that the Public Works Department wants to spend for asphaltting, micro-surfacing, etc. is \$5.4 million.

Mr. Kraszewski:

That's correct.

Mr. Cohen:

How does that compare to how much we spent last year?

Mr. Kraszewski:

That will be done by a milling contractor and then 40 miles will be done of some of the thinner overlay processes be it the micro-surfacing, the nova chips and processes like this.

Mr. Cohen:

Public Works will be doing that?

Mr. Kraszewski:

No, that's all contracted out and then there's a concrete brick and blockstone portion of this which is not the asphalt products which allows for several miles to be done. Now if we get stuck for money later and it's not possible to get all of the funds that's desirable, there's an opportunity to go into some of those funds because whereas it will cost about \$1 million a mile to get concrete road restored, you're looking at anywhere from \$50,000.00 to \$80,000.00 for an asphalt street.

Mr. Cohen:

When will it start?

Mr. Kraszewski:

We hope to get it with your cooperation and approval if we can get that today, we would like to see bids go out next Wednesday and we would like to be in a position within two or three weeks to get the outside contract procedure started and we would like to start our in-house efforts early in April. We of course have the flexibility to do that weather permitting. So some work will begin the first week in April and most other processes will start between the second week to the fourth week in April.

Mr. Cohen:

I don't want to give the wrong impression to the residents of the city because there is micro-surfacing going on now is there not?

Mr. Kraszewski:

No.

Mr. Cohen:

There are certain services going on right now aren't there?

Mr. Kraszewski:

Last year our program for asphalt products alone was structured at \$4 million. This year we were intending to go about \$4.6 million and this will increase it to that amount. Now when additional funds become available, there will be also money from other programs that can be used for in-house efforts. The total program for the streets for this year is supposed to be \$6.9 million. It would be \$4.6 million for asphalt products, hot mixes and other types of overlays and approximately \$3 million for concrete brick and block stone and "B" Street Program. The end result by the end of the year is this will be increased by \$3.5 million and the program will be expanded by 60 percent. Instead of 63 miles total, we'll be looking at near 100 miles. total.

Mr. Cohen:

To finish the funding issue, so you expect to come back to Council some time in the midsummer for an additional \$1.5 million. If we're spending \$5.4 million now you're going to go up to \$6.9 million.

Mr. Kraszewski:

When bond money is available some time in June or July that we'll have to replenish some of the funding in the other portions of our entire streets program that are going to be delayed as a result of this.

Mr. Cohen:

This is certainly a large step in the right direction, the \$5.4 million. You said about 100 miles of city streets will be -- the Public Works Department will be doing some type of service on.

Mr. Kraszewski:

Yes, the 100 miles will be distributed as follows: Approximately 40 miles of hot asphalt done by two Public Works crews during the season of 1994; approximately 20 miles will be done of hot asphalt by an outside contractor; a lot of milling will be done on both portions of the city and approximately 85 to 90 percent of the streets will be milled and the old surface will be removed to allow for not an increase in the elevation --

Mr. Cohen:

-- who will perform that service?

Mr. Kraszewski:

There is cold patching going on and right now we're getting into the milder weather, not today and tomorrow but later this week where we will be putting hot patch in the potholes and that's all done inside.

Mr. Cohen:

And that's done by the Public Works employees without having to contract that out, so the worst potholes will be done prior to the season starting.

Mr. Kraszewski:

Yes. We should make a big dent in that over the next two or three weeks. Also, we're kind of pitching in on the state roads where we're trying to work closely with the state but we're taking care of some of the monsters on those roads too.

Mr. Cohen:

I want to say that I very much support this and I'd like to see it happen as quickly as possible and for us not to hold it up of course and right now in many of our city streets it's like driving an obstacle course and hopefully when this program gets under way that will be remedied so thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE BRUSKA
STENOTYPE REPORTER

(BEGINNING - COUNCIL'S COMMENTS ON INTERVIEWS WITH APPOINTEES,
WEDNESDAY, MARCH 23, 1994)

The Chair:

Before we start with our regular agenda, Council will proceed with its Confirmation Hearings, and I am just going to follow the pre-agenda list in front of us, unless there are any objections from the body here? We will start with calling Marva Harris to the table, and she has been nominated to be a member of the Housing Authority. This is Council's time to ask any questions of any nominee and for the nominee to address Council.

Ms. Harris, have a seat, please. What we normally do here is give you a few minutes for an opening comment, if you would like, and then we will turn it over for questions. Everyone should have resumes, there is a package here, let's make sure we have it. Does everyone have the package?

Ms. Harris, good morning.

Ms. Harris:

Marva Harris
One PNC Plaza
Pittsburgh, PA 15265

Good morning.

The Chair:

Would you like to say a few words?

Ms. Harris:

Do I worry about this microphone?

The Chair:

You are okay, just speak into the mike.

Ms. Harris:

Frankly, I was not prepared to make a statement, but I guess generally what you would like to know is maybe a little elaboration on my background.

I work for PNC Bank, where I manage the bank's lending to low and moderate income communities. We have an 11-county market throughout Western Pennsylvania and I have the responsibility for that area. I am a native Pittsburgher, I currently live in the City. I am prepared to answer your questions.

The Chair:

Well, thank you, we will go around the table. Councilman Cusick, do you have any questions?

Mr. Cusick:

Only on your residency and that question was answered, because of -- you are using a business address as a mailing address, more or less?

Ms. Harris:

Right.

Mr. Cusick:

Very good.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Do you have any ideas or any view on ownership by Housing Authority current tenants? I mean I --

Ms. Harris:

Let me give you a historical perspective on that one. As I said, I grew up in the City. I used to ride a bus to Frick School that went through Burrows and Wadsworth and around Robinson Court and on down. I have watched some very significant changes in terms of what is happening in public housing. Many of my friends who lived there in those days went on to college and professional careers and for their families it was transitional housing. It appears at this point that many families find themselves locked in, for a host of different reasons, not assigning blame or pointing any fingers there.

In my role at the bank one of the things that I -- where I played a critical role was in helping low and moderate income families become homeowners and I think that option should be open to residents of public housing as it is to anyone else. Oftentimes the idea of home ownership evolves because you have seen other people do it, you realize that it is possible for you and you attempt to follow suit. I do not think public housing residents perhaps have the opportunity to see that happening enough to realize that it is an option for them but certainly it should be.

I do not know if that answers your question or not.

Mr. Hertzberg:

Yes, that is the direction, because I have always felt that it is certainly worth a try having more ownership in public housing. I think it is part of the idea of pride in your particular place if you would own it, and I think the rents that are being paid, if you would look at a 30-year mortgage, I do not know that -- and the value of these places, I do not know that it is terribly different.

Ms. Harris:

Well, in many cases the rent, it probably would exceed what a mortgage payment would be, where a family is then acquiring an egg to nest, yes.

Mr. Hertzberg:

Thank you.

The Chair:

Councilman Ricciardi, we were going around the table, and since you have joined, if you have any questions, we can start from the beginning?

Mr. Ricciardi:

Thank you.

The Chair:

Councilman Cohen.

Mr. Cohen:

I just want to congratulate you on your nomination, wish you the best of luck.

The Chair:

Councilman Darkins.

Mr. Darkins:

Well, Marva, we are long lifetime friends and as I sat in the Heritage place yesterday and watched Council and then when they brought your name up, I had to come. I got a pass today so I could come down here, and I want it known publicly, there is nothing personally that I have against you, you have done so much in the City of Pittsburgh but I cannot understand why Tom Murphy has thrown you to the pits, I cannot understand it, sweetheart. I cannot understand, with the Stadium Authority, a

woman of your background, a woman that has made such a great contribution to the City of Pittsburgh and our President, our President of Council, said yesterday that -- and along with Christopher Smith, I was watching you guys -- said yesterday that you are not the person for that appointment, they said that we should have another Mrs. Contrail or one of those type of people from Housing, we need someone like Evelyn Patterson, that knows about it, not that you have not lived in that area, not that you do not know about that, but I just think, with all your expertise, you are one of our outstanding African-American women. I do not know why Tom Murphy threw you to the pits, I do not understand it, I do not understand it. We could put you on the Stadium Authority, where they do not have nothing for our Black folks --

The Chair:

Excuse me, excuse me, Councilman --

Mr. Darkins:

I am saying what I want to say.

The Chair:

I am sorry, but she is not appointed to the Stadium Authority, this is --

Mr. Darkins:

I know that, I am talking about the Housing Authority.

The Chair:

Okay. I am sorry.

Mr. Darkins:

Let me get through now.

The Chair:

You have the floor.

Mr. Darkins:

And, Marva, you are a beautiful person, honey, so I want you to know my objectives. I think that you can serve us in government in this City in a better position than in Housing Authority. The Housing Authority needs a lot help. My co-sponsor, Jimmy Ferlo, Gene Ricciardi, you are looking at the guy that takes those Senior Citizens to Harrisburg, you are looking at the man, on this coming Friday, a week from now, as

sick as I am, I am going to bring those people, a thousand Senior Citizens, to 550 North Homewood Avenue, I am going to feed them for Easter, get them ready. You are looking at the man that takes care of that crowd, not only Senior Citizens, not only Senior Citizens but Mr. Ferlo's people from Garfield, that High Rise group up there. I just think they could have placed you in a better position. I hope by the time -- if they give me another pass I am going to be here Tuesday. I am going to send a letter to the Mayor and tell him I am sending your name back and I want him to re-appoint you to another board. I just do not think -- yes, you helped us, you helped us, honey. Marva, you understand where I am coming from, do you understand Duane Darkins now? You helped us. PNC would not be what it was if it had not been for you, sweetheart. You helped us, you helped us get homes, you helped us with mortgaging, you helped us, but I do not think they need you there on that Housing Authority Board, they need one of those Senior Citizens and that is what they are failing to do, to appoint -- to re-appoint. We had this fight with Sophie, I want to talk about it. I had this fight with Sophie because she was going to move those other women off that board, and she sent James Sims to their house to see them and I told him to go home, and I went and told Sophie, don't do that, I said, you haven't seen an outrage in this City, and I know the real feelings.

So, I just want you to know I am not against you. You and your husband are fine people, your brother, the whole family, but I am opposed to the appointment because you should be at another level, that is sending you to the pig pen and I do not want you there.

The Chair:

Thank you, Councilman. Councilman Smith.

Mr. Smith:

Yes. Ms. Harris, what are your opinions on tenant management?

Ms. Harris:

Well, I guess the one example of tenant management that I have seen in the City has been actually in Section 8 Housing on the North Side. I have been working with the NTR organization since probably 1988, and that is where I guess I have seen tenant management realized to its full potential in terms of watching people take charge of their own destiny, watching the empowerment that occurred there and so forth.

I have not honestly, Mr. Smith, seen evidence of a lot of tenant management activity within public housing, of course, I am limited to what I read in the media, for the most part there.

Mr. Smith:

Well, I guess what my concern is, is that are you open minded enough that if the concept was tried, would you be supportive of tenant management? All I am looking for -- I do not need to know everybody's point by point opinion, I need to know if you are open minded enough to give an opportunity to a group of people who have never had the opportunity. And, yes, it is scary, yes, it is experimental. Would you be as a board member open minded to have tenant management based on the whole area if we could do the training and operate a program, would you be supportive?

Ms. Harris:

Well, let me answer you this way. I am sitting here, first, as a minority, and secondly, as a woman, I think anybody sitting in a seat where they have any kind of authority would be very presumptuous to think that you know better what other people need than they know for themselves, in many cases. The whole concept of empowerment and working things from a grass roots level is about the only thing that is going to save our society, and that includes public housing.

Mr. Smith:

Well, you have answered my question. Thank you.

The next thing is, you have been packaging loans and dealing with housing as a profession for low, moderate and so forth, what I do not see in here, and I am very disappointed is that -- the finer point is that you have actually worked with community groups, and I think that it is very important that people understand your grass roots level, you may come from PNC but you have been out here on the front lines, and may I say, volunteering your time.

So, I have no more questions for you, and I appreciate you coming down for us to ask our questions.

The Chair:

Councilman Ferlo.

Mr. Ferlo:

Good morning, Mr. Chairman, members of Council. First of all to my colleague, Mr. Darkins, welcome back, I know you are going through tremendous struggle right now and I know all of us here wish you speedy recovery.

I want to try to refrain and rephrase some of the issues that have been raised here. I think there is a little bit of a

debate going on within the public housing community, especially with Metropolitan Tenants Organization leadership on the issue and their appeal to the Mayor on the issue of the overall appointments, and I think there was a request for a representative of MTO representing the tenant council activities within the public housing communities for consideration to the board, that is an issue between the neighborhood organizations and Mayor Murphy. This Council is being asked to review and give consideration and ultimately approve for appointments that we have right now, Mr. Rudolph, who will not be able to be here today but hopefully he will be here next week, and yourself, Marva Harris, obviously needs no introduction, Candice Henson. All of these appointments, as far as I am concerned, being a past board member of the Housing Authority, would be tremendous assets to what I hope will be setting some new directions at the Housing Authority.

But, in particular, yourself, Marva, I have known you for many years and, quite frankly, your work and your activities in the community, not only professionally within the area of housing, within the area of finance and within the area of management and business but equally important your stature in the community working with non-profit organizations and working with community development organizations, specifically in the area of housing, to me would be a tremendous asset to the board as a board that needs to begin to grapple with some long range policy changes that have to be dealt with at the Housing Authority.

So, I want to applaud you personally for -- if anything I want to say to you, thank you for agreeing to accept the appointment because I know how busy you are, I know you juggle a lot of priorities, but I hope and I recognize in your acceptance of this appointment that you obviously have now made the decision to re-arrange your commitments and schedules and I know with you coming on the board that with that comes a tremendous commitment on your part to really apply yourself and give them the kind of leadership that I know you have to give to this important agency.

So, again, I may want to clarify a little bit of some of the earlier comments, the issue around a representative of MTO, and/or tenant councils, to me is a separate issue and this Council being asked to review and hopefully approve for tremendous assets. And I am sitting as a member to the Housing Authority, I just want to say, thank you and I know given your knowledge of the housing community and public housing, in particular, I think yourself and the others that will come to the table today will really be an asset to the Authority at this time.

So, if anything I want to say, thank you. I do not really have any questions because I know your background and I know you

are going to dig in and really be objective and I know some of the philosophical commitment you have about tenant empowerment and about individuals within the community making a better quality of life for themselves, and that is where I think we need to focus the attention and make the Housing Authority something that it is not right now.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Mr. Onorato.

Ms. Harris, I do not know you, however, many people say many complimentary things about you. Obviously this board is very important to the City of Pittsburgh but also to me personally because there are two housing communities in the district that I represent, Arlington Heights and St. Clair Village, and I apologize that we did not have a chance to meet before this; however, I have many concerns and concerns that are shared by my colleagues, I am sure a concern of yours, and that is security and safety of the residents in all the housing communities across the City, and, in this case, I am specifically talking about the two housing communities in my district. A small segment of the housing communities, or small numbers, from both within and without, have totally terrorized St. Clair Village, and to a small extent Arlington Heights, where law abiding citizens cannot come outside of their units, and where children are not able to play freely. Again, I do not know your background, but can you give me some of your thought or ideas on the safety and security of those in public housing that not only expect it but demand it and have a right to it?

Ms. Harris:

Well, Mr. Ricciardi, I am not prepared to respond to your question explicitly, I mean I do not know the problems chapter and verse, presumably that would come with more knowledge of the Housing Authority, but when it comes to issues of safety and security, it is as I responded to Mr. Smith and to Mr. Hertzberg, I do not see why the considerations for public housing residents should be different from the considerations for anybody else, we all want safety, good schools, nice neighbors, the opportunity to increase -- to have a better life, wherever we are, we want to move ahead. I do not see why that should be any different for anyone living in public housing than it is for any of the rest of us.

Mr. Ricciardi:

I agree with you, and it should not be different, however the reality is it is different. I am not sure if it is different because of the Administration's or Council's viewpoints or how we allocate resources, I am not sure if it is different concerning how the Housing Authority manages their units, because in a way when you think about it, since it is a private complex almost unto itself, even though it should be considered a neighborhood, it is different. So, since it is different, then that must be dealt with, and I am asking you, have you had an opportunity to either speak to the police or the Administration to see why it is different? Because I will take you on a tour, and this is not a challenge, but this is something I would like to do today, I would like to take you to St. Clair Village and Arlington Heights and show you that it is different. So, if it is different it is something that you specifically have to deal with and get back to hopefully this Council and this Administration. It is something that I have become very frustrated at because it is something that I have worked so closely and so hard with not to make it different, but it is, Ms. Harris, and I do not think we can run from that.

When I first ran in 1989, one of my platforms, Ms. Harris, was that I thought it was my responsibility to make all the neighborhoods in District 3 part of Pittsburgh's future, and unfortunately that has not happened with St. Clair Village and Arlington Heights, and I am just looking for new direction from the Housing Authority Board, and I think you are going to give this from what I am able to see from your resume and talked to some of my colleagues.

And, I missed some of your introductory remarks, but can you, please, back up and tell me, what ideas, or what fresh approach, or how do you see you serving on the board, and how are you going to improve the lot of the Housing Authority tenants?

And, with all due respect, this is a very serious subject and I do not find this amusing at all, but what are some of your ideas?

Ms. Harris:

I am not taking it lightly, my smile, I guess, is more frustration than anything else.

When public housing was built in this City, it was built in isolation, communities were essentially self-contained, it was almost like, let's build these communities, set them over here and set them in operation, and the problems that you are identifying are not problems that have arisen recently or quickly, and I do not think they can be resolved quickly or

easily. And, again, I do not presume to sit here today and tell you I have answers. I have come because I have been asked to serve, I have compassion, I have a certain managerial expertise. As a minority, I think I have an uncommon affinity. Even though I may be separated from other people economically, I am black and when I walk out that door I am not viewed any differently from anybody else who is black, does not matter, take away my title, I am still just another black person, and I have never lost sight of that. That is what I bring. I do not have solutions.

You mentioned St. Clair Village. I through my bank have from time to time seen that we were supporting efforts from Frankie Mae Jeters group up there, and I have worked with Ron Suber. I have not -- but I do not come to you, and I think it would be presumptuous and naive to say I sit here with solutions, I do not, I am simply willing to serve and try to help identify solutions, and if that is not good enough then I say, don't vote for me.

Mr. Ricciardi:

No, I think that is good enough. I think the part you said concerning the compassion is very important.

Do you see my frustration in having two Housing Authorities in my district and seeing no progress made since 1989, or very little progress made by both the Housing Authority and the City, and I will take some responsibility of that, obviously, serving on this Council?

What I tried to do and it became somewhat successful but I received no support. As you know we have a program called JTPA, Job Training Partnership Act, and what I did on a very small level was to have small community meetings in St. Clair Village and try to get people into the JTPA program, and it worked to a certain degree, but I received no support from the past Administration and very little support from the Housing Authority, and I was always confused why I did not receive that support. I would think that the Housing Authority and this City Hall would stand up and say, yes, it is important that we disseminate that information; yes, it is important that we either somehow bring people out who work with the Tenant Organization to get people into that program. Because, obviously -- and I am sure you know much about the program, it is a free program, could really train people to escape from housing, public housing, because that was always supposed to be almost like a rest stop.

What became very frustrating to me was, about a year ago there was a fire in our Knoxville-Beltzhoover section and the woman was in need of emergency housing, so obviously I contacted one of the Housing Authorities, and she stated that she did not

want to bring her children to the projects, as she had said, because she did not think it was safe, and that really touched me, because I thought, if she did not think it was safe and she did not think it was safe for her children, someone was doing something wrong and something that definitely needed to be changed. And, Mr. Onorato has raised this, when we talked about bricks and mortar and how important bricks and mortar is, but Mr. Onorato had stated how important safety was, and Mr. Perlo stated it when he said, well, bricks and mortar are important but we should look into social service aspects, and I think we have made some of those changes, or some of those amendments to the bill.

Again, I think you are going to do a very good job because of your remarks to me and especially the remarks about you having the compassion, I believe you do. Hopefully you see my frustration. And I would hope that either today or sometime this week, we can set up an appointment at your convenience, I am very flexible, and if you would visit both communities with me and meet with some of the people that I have been working with, and maybe we can go from there. Would that be okay?

Ms. Harris:

That is fine.

Mr. Ricciardi:

Great. Thank you.

The Chair:

Ms. Harris, I just want to state that I think you are an excellent choice for the board. I am very excited that we are having a total shake-up on the board, not including my colleague here, who has been trying a lot to shake the board up but has been a minority over there, and I am excited to see someone like you be appointed, because obviously I know the work you have been doing with PNC on the North Side, I have seen you around a lot of projects, and I am very thankful that PNC has taken steps to recognize that there is an urban center and they are a key player and they should participate, and they have been doing that along with several other of the banks in this area.

What I am looking forward to, and I hope you keep an open mind to it, is that, as the new board gets up and running, and I felt that I did not have this with the old board as much as I would like to have with the new board, is that, make an offer to you that you utilize the nine of us in our districts in cooperation with you and let's work as a team in a lot of these areas as opposed to thinking that the Housing Authority is totally separate from the City, because we are in this together, and I think you recognize that, and I heard that in your

comments today in answering the questions, and I appreciate that.

I wish you well, and I think the procedure will be that when we recess the meeting later this after, if there are no objections from the floor here, you will probably be approved later this afternoon; if not, unless somebody has a question, it might take another week, but hopefully it will be today. I think you are an excellent selection. Thank you.

Any other questions?

Mr. Cohen:

Congratulations.

The Chair:

Ms. Harris, thank you very much.

We will now move to Candice Henson, also nominated to be a member of the Housing Authority Board. Is Candice here today?

Good morning, Candice. At this time, if you would like, you have a few minutes to say a few words to the Council, the body, before we ask you questions.

Ms. Henson:

Candice Henson
1704 Brighton Place
Pittsburgh, PA 15212

Good morning. My name is Candice Henson. I live in the City of Pittsburgh. I have two small children, ages 6 and 9. They are straight "A" students at John Marm. I am 27 years old. I am resident of North Side Properties. I have been a resident for seven years, and I am the President of the North Side Tenant Reorganization.

Under Ms. Henson's leadership as President of the NTR, the NTR completed the 4.5 million dollar, 34 unit Brighton Place deal. The NTR is managing general partners and Brighton Place Associates and also the owner of the community laundromat.

Ms. Henson has been an NTR board member since 1987. While on the board Ms. Henson was one of many residence that participated and graduated from both Phase 1 and Phase 2 of the Leadership, Development and Resident Management Training.

Ms. Henson also has traveled with the NTR graduates to Camden, Philadelphia, Chicago and St. Louis to witness and observe firsthand resident tenant management in full swing.

All the above-mentioned sites have gone into Resident Tenant Management Training under the leadership of Ms. Bertha Gilkey. Ms. Gilkey has trained the NTR since 1989 and continued to train the members of the NTR.

I am a member of Alan Chapel A.M.E. Church in Manchester, and I received my G.E.D. from Connelley Skilled Learning Center in 1992.

The Chair:

We will open up for questions. I will make sure we take it easy on you, since you are a fellow North Sider, I will make sure they have some nice questions here. We will go around the table. Councilman Cusick.

Mr. Cusick:

Yes, I was just talking with Mr. Ricciardi, and the program, I think it is -- what is it, North Side Properties, or North Side Tenants?

Ms. Benson:

What program?

Mr. Cusick:

That you are involved in.

Ms. Benson:

North Side Tenants Reorganization.

Mr. Cusick:

Can you tell me a little bit about it and how you started it --

Mr. Ferlo:

Candice, you have to use the microphone.

Mr. Cusick:

-- and what you have done?

I think it is a credit, I think the public should know that we have outstanding individuals in our neighborhoods, such as yourself, that do a lot of hard work and do it because that you care about the neighborhoods that you grew up in.

Ms. Henson:

What NTR has did, we had purchased in our community, which is Brighton Place, we purchased 34 vacant units, we went in and renovated them, we had them cleaned out, now we are renting them. We have opened a -- a grand opening for our community laundromat is today.

Mr. Cusick:

I want to thank you for your dedication and your service to your neighborhood, and I think that Mr. Murphy made a wise choice with your nomination.

Ms. Henson:

Thanks.

The Chair:

Councilman Hertzberg, any questions?

Mr. Hertzberg:

Yes, thank you, Mr. Chairman.

What part of town did you grow up in?

Ms. Henson:

The north side of Pittsburgh. North Side.

Mr. Hertzberg:

Did you go to school around there, or where did you go?

Ms. Henson:

Yes, I went to Oliver High School.

Mr. Hertzberg:

This Brighton Place, the deal that you just talked about, where you acquired, I guess, a few units, as the tenants reorganization, is that done?

Ms. Henson:

Yes.

Mr. Hertzberg:

Does that include renovation of the units?

Ms. Benson:

Yes.

Mr. Hertzberg:

When did that get completed?

Ms. Benson:

December 31st of 1992. 1993. This is 1994. Excuse me.

Mr. Hertzberg:

I cannot hear you. Are they all rented out now?

Ms. Benson:

Yes, they are all rented.

Mr. Hertzberg:

It is going pretty well?

Ms. Benson:

It is going great.

Mr. Hertzberg:

Thank you, that is all the questions I have for you.

The Chair:

Councilman Cohen.

Mr. Cohen:

Thank you very much, Mr. Chair.

I want to congratulate you on your appointment, and I do not have questions, I just want to say to you that I am familiar with NTR and all that you have been doing over there, and I had an experience that I will never forget involving the Leadership Development and Training Course that you had under Ms. Bertha Gilkey, and I was fortunate enough to attend the graduation ceremonies that took place there on the North Side and to hear Bertha Gilkey talk about the need for empowerment, the need for tenant management of our public housing communities and I was very, very inspired by her, and I assume that you were, too, and I think that if you are able to take those lessons that she has

been conveying, and what she did in St. Louis, was it, or is it Kansas City, do you remember?

Ms. Henson:

St. Louis.

Mr. Cohen:

It was in St. Louis. To be able to empower the residents to take some control over the management of those public housing communities, if you can take some of those principles and bring them with you on the Housing Authority Board of the City of Pittsburgh, then I think that would be absolutely terrific, and I just want to hear your thoughts about that. Is that where you come from in terms of your background and training?

Ms. Henson:

Yes.

Mr. Cohen:

Yes. And, I would just urge you to push those principles when you get on the Housing Authority Board.

Ms. Henson:

I sure will.

Mr. Cohen:

Because I think that is so very, very important.

Ms. Henson:

It is.

Mr. Cohen:

And I wish you the best of luck.

Ms. Henson:

Thank you.

The Chair:

Councilman Darkins, any questions?

Mr. Darkins:

Yes.

I would like to commend you for the work that you have done --

Ms. Henson:

Thank you.

Mr. Darkins:

-- as a young African-American woman, and you have been very courageous and, of course, your work is on the North Side. I visit the North Side often, Perry Plaza, all up and down there. I go to all those personal care homes. There is one thing about Duane Darkins, I am not a phony, I visit those places. Right down there on Sheffield Street, the High Rise, I have been there, I put my own money out, supported them in parties for those Senior Citizens, I have done that thing, and I can honestly elaborate, Councilman Ferlo has been my backup, along with Gene Ricciardi, when we carry Senior Citizens to Harrisburg fighting for the Mom Bill, various bills we fought for, and we won because we are concerned about those elderly people.

Your project that you have erected, is in focus, speaks very well for itself. I got a concern about you now. You are a very nice looking lady.

Ms. Henson:

Thanks.

Mr. Darkins:

I want to know, are you going to be the rubber stamp on that Housing Authority Board, are you going to be one that when Ferlo looks at you and smiles and winks his eyes and squeeze your hand and you shouldn't be going that way, you going to go that way, are you going to be that kind of lady?

Ms. Henson:

No, I am not.

Mr. Darkins:

We do not need that stuff.

Ms. Henson:

No, I am not.

Mr. Darkins:

We got enough of that around Pittsburgh in government right now, the new Administration coming in. See today I am afforded the opportunity to come. When they brought on the directors and things I was sick, almost in a coma and I could not get here, but they were so kind to me out there at the home to let me have a pass to come down here today because these are the things, and as you heard me talk about Marva Harris, I love that woman. But, oh, you are going there now, don't you let me down, you stand up and speak --

Ms. Henson:

I will.

Mr. Darkins:

-- for our people.

Ms. Henson:

For our people. I am.

The Chair:

Councilman Smith.

Mr. Smith:

The reverend stole one of my questions, do you ever get angry. You just seem so complaisant.

Mr. Ferlo:

Don't be fooled.

Mr. Smith:

There is a problem on the table right now, and that is no one has truly said -- we talked about your scattered site housing, the 34 new units, what are they?

Ms. Henson:

What are --

Mr. Smith:

In terms of how they are -- subsidized?

Ms. Henson:

They are low to moderate income housing.

Mr. Smith:

Through a particular program?

Ms. Henson:

We were funded, yes.

Mr. Smith:

But these are Section 8 --

Ms. Henson:

No, I live in a Section 8.

Mr. Smith:

You live in Section 8?

Ms. Henson:

Yes.

Mr. Smith:

Very good.

No one has ever been on the Housing Authority Board, to my knowledge, who has lived in Section 8 Housing.

Ms. Henson:

Not to my knowledge neither.

Mr. Smith:

What do you believe -- do you believe that it is Section 8 Housing has -- because the Housing Authority is a pass through for this, there has never been representation; do you have a set and series of problems you have seen experienced as a resident of Section 8 that you believe need to be addressed?

Ms. Henson:

Well, with the problems, I feel that there are things that public housing residents get that Section 8 tenants do not get, and I feel that by me representing my Section 8, that if there is something out there for my people and my community for Section 8, I want to be the one to take it back and give it to the community and try to help others.

Mr. Smith:

So, where you live the Housing Authority does not have day in, day out maintenance and operation; you do not dial a Housing Authority number to get a solution?

Ms. Henson:

No.

Mr. Smith:

I ask you this question and I ask it backwards because I have a general problem, colleagues, with what I perceive as there is not -- and, now, this is absolutely wonderful that we have taken the first step to put a major program that the Housing Authority has had purview over, for the first time in history we are putting an individual to represent that style of public subsidized housing, which is Section 8, and I think that Ms. Henson, being so quiet, probably has quite a temper behind there and will stand up and defend the rights of Section 8. My problem, colleagues, is that this board does not -- as it has been presented to us now -- does not have a tenant who is in housing in housing that has day in, day out, operational, managerial experience for the housing. So, I applaud you being here, but my problem is not Section 8 or yourself, it is the fact that we are creating a board that does not have a Housing Authority tenant on board. I support you, I have seen what you have done, I think that you will represent well Section 8, I am happy to know you and have you here, but my argument is a greater issue and that is the board -- the total board we are creating. We need people like Ms. Harris, who can bring in the business sector. We need people who have faced the day in, day out problems created by organizations with tons of money, lots of staff and they do not live there.

So, I agree with your appointment and will support you wholeheartedly. My next issue is just going to be the fact that there is not a tenant and the maintenance and operational. So, as I jump up and down, I appreciate you time. Thank you.

Ms. Henson:

Thank you.

The Chair:

Councilman Ferlo.

Mr. Ferlo:

Yes. First of all, good morning, and once again, congratulations. My comments for Marva are also included for

yourself and Mr. Rudolph, even though he is not here today, and the other board members, including Dr. Reed. I think all of you have a tremendous track record and bring a lot of expertise and talent to the board.

I just want to put something back into perspective. The five individuals that Council by statute must nominate -- must approve by way of the nominations offered by the Mayor, that still leaves the Mayor two board members to appoint unilaterally. I think Mr. Smith's concern is appropriate, it is a concern that MTO and other tenant organizations within the public housing communities directly affected by the management and staff and board of the public housing agency. There is still an opportunity and I would expect that Mayor Murphy will be hearing those concerns and will respond accordingly. I would hope that all of us support on Ms. Benson here today as well as the other nominees. And, whether or not she has a temper, I do not know, but I know what she does have and that is an organization.

And, I think something fundamental is happening here by the Mayor's actions that has not happened on the part of City government for an awful long time. Basically there has been several decades and several political administrations that have engaged in benign neglect when it comes to the Housing Authority. For many years, as far back as Mayor -- except for maybe the initiation under Mayor Barr, countless Councils, previous Councils, not this Council, previous Councils, previous Mayors, had pretty much operated that the public housing community is somehow distinct and separate, and anything we do in the City, albeit police or social services or transportation or programs, whatever it is, somehow there is this separation that is supposed to exist. In fact, what has been created, as far as I am concerned, is a second-class citizenship for significant numbers of residents within the City of Pittsburgh. I think what you bring, if I know you and the little bit that I do, and I attended the same sessions as Mr. Cohen, and I do want to say, hello, to Bertha Gilkey, because I think she is a tremendous individual, who has not only made a contribution nationally but I think she has helped to provide skills and leadership to the leadership that has already come out of the North Side community in the form of yourself and your mom and others.

So, really what is happening here today -- really, in a way it is almost as if the public housing tenants and community is finally empowered and having some say so on a board. It is true in the past that there have been some board members that may or may not have come from the public housing community, a lot of times those individuals, and I say this respectfully, acted as just individuals. I think what is starting to change is that we have individuals who are going to be part of an empowerment process and I think you pretty much epitomize that in terms of

your role in the North Side community and I think what you will bring to the board. So, I see you as a tremendous asset. And, the other thing is, it is about time we start empowering some young people in positions of authority and the Housing Authority Board is an important position.

Just to clarify one thing. One of the reforms that has happened is the North Side Tenants Re-organization itself is the administrator and handles the contract for inspection services and other activities relative to the North Side housing units, and I would hope that can be a model, not exactly but that kind of activity hopefully will be expanded within other communities throughout the City, and that is where I think you can help play a specific role.

So, again, I applaud you, but I hope we are looking at the bigger picture here in terms of hopefully some of the changes that are going to happen as established by the Housing Authority Board of Directors.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Ms. Henson. I raised some of my concerns with Ms. Harris, I am sure you had an opportunity to hear them. I realize that everyone's schedules are very hectic, but if after the meeting if I could have a chance to speak to you and maybe Ms. Harris so we could arrange -- are you also willing maybe some time this week -- not maybe but some time this week take a tour of the two housing communities that I represent?

Ms. Henson:

I do not mind taking a tour of the housing communities that you represent but can we do it next week because this week I am pretty busy?

Mr. Ricciardi:

That will be fine, yes. That will be fine. It does not really if it is next week or the week after, but especially once you are on the Housing Authority Board, I really would like to ask you and Ms. Harris to visit some of the people I have worked with and maybe to listen to them -- and you two I am sure have in the past but I was not present at that particular moment but I really want to be present. So, I thank you for that.

Ms. Henson:

You are welcome.

The Chair:

Ms. Henson, let me just congratulate you on your nomination. I think that you as well as the NTR represent everything that is good about public housing and about the Section 8 Housing. We all know the problems that exist there, however, I am excited to see you nominated because you have a successful track record, and you know the downsides and the upsides of trying to take some of these units private and to have a group to operate them privately. I think it is the way of the future. As you know as well as I do, you just do not do that overnight, it takes a lot of training to manage properties. Let me just say that I am extremely proud to have you as a fellow North Sider sitting on that board and I look forward to you serving on there. Thank you. Have a good day.

Ms. Henson:

Thanks. Thank you.

The Chair:

No other questions, we are going to move on.

Mr. Jesse Fife, Jr., been nominated to be a member of the Zoning Board of Adjustment. Mr. Fife. There he is. Good morning, Mr. Fife. Like everyone else, you have an opportunity to address this body. If you could sit down and speak into the mike, and then we will open up for questions, but the floor is yours.

Mr. Fife:

Jesse W. Fife, Jr.
1006 North Sheridan Avenue
Pittsburgh, PA 15206

Good morning. Thank you.

First of all, I would like to thank Council for having me here this morning. I am pretty sure most of you have my background sheet. Currently I am the Vice President of Bidwell Training Center, which is an institution that is located on the North Side and has been around for 25 years. It is the biggest 501(c)3 non-profit in Pennsylvania that provides vocational training. I have been involved with the overall management of that institution for over 20 years. I am basically the man that handles the day to day operations, and we can proceed from there.

The Chair:

Any questions from the floor? Councilman Ricciardi.

Mr. Ricciardi:

Thank you. Mr. Fife, if you could just tell me how you see the Zoning Board of Adjust, their role and responsibilities in the City of Pittsburgh?

Mr. Fife:

Well, the way I understand the Zoning Board, the board is initially set up to review decisions that might be made by the Administrator or the Superintendent, to see if there is some sort of variance or so forth that can be given to owners and/or owners in relationship to development. It is -- more or less I view it as a -- more or less like a magistrate. I mean it is a situation where an owner might be upset because he cannot build or he cannot extend his porch or he cannot build this building or he cannot build this building, he cannot expand it, so, therefore, he wants to appeal that and see if there is some sort of decision that can be made by the board, the Zoning Board, that can give him an opportunity to get the value of his property, or the owner's property. It is a situation where I view it as an overseer to the City of Planning Department.

Mr. Ricciardi:

And I agree with that concerning the expansion of one's property, but it also is the use of one's property, I believe that is correct?

Mr. Fife:

Yes, the use of one's property, and the protection of City property, to encourage development, both public and private.

The Zoning Board has an important opportunity to make sure that the City moves forward in terms of preserving the stability of the land, encouraging, again, the development of the land and buildings, and I see the Zoning Board as then being that important.

Mr. Ricciardi:

I notice several times you have mentioned encouraging the development, and I think you mentioned that three times. Obviously at the other end of that, and sometimes it does parallel that, is also, however, the protection of the neighborhood in terms of the quality of life and livability. For example, tomorrow at the Zoning Board of Adjustment there is a -- and I am not going to talk about the case because you might be there tomorrow, but at times, restaurants and bars decide that they would like to expand their special exception in terms of serving alcohol. When it comes to special exceptions, what

goes into your thought process in either granting or denying a special exception?

Mr. Fife:

Well, I think it is important that one understands the Zoning Code and the Zoning Ordinances. I think it is important that we take into consideration the welfare of the communities, so that development, that expansion, or so forth, will not hurt some of the issues that are affecting the community. It is the board's decision along with the colleagues that I will be working with to attempt to look at the issues and deal with as many facts as possible, as much information as possible, for them to make the decision that is fair, both to the community and to the persons and/or owners, who are wishing to do development or expansion.

Mr. Ricciardi:

Mr. Fife, you have a very impressive resume, very impressive background, many accomplishments, and I really salute you for that.

I did see, however, their appeared to be a lack of either book knowledge, or even street knowledge, when it came to land use and zoning. For example, as you know in the Pittsburgh Code we do have a section considered Zoning, and we talk about the different zoning districts and zoning text and variances and special exceptions. Can you just tell me why we would vote for you?

Mr. Fife:

Well, I think in any decision making process it is the ability for a person to think and make logical decisions. Being involved with the institution that I am involved with involved me interpreting federal, state and local regulations and applying those regulations to the growth of our institution, and that is what I have been doing for 25 years. I mean if you take a look at the volumes of regulations that I have to deal with I think you would agree that I do have that proven ability and that is what is needed as a Zoning Board member, I mean you have to be able to take the Zoning Codes and the Zoning Ordinances, apply those Zoning Ordinances to any situation that you are going to be making a decision on, and I have that strength, I have that proven ability, I have 25 years in managerial. I mean I am a proven leader, I am a proven problem solver, and I think that is important.

Mr. Ricciardi:

Thank you.

Mr. Fife:

You are welcome.

(MR. ONORATO LEAVES THE MEETING, MR. FERLO ASSUMES THE CHAIR)

The Chair:

Mr. Hertzberg. We will go right up the table now.

Mr. Hertzberg:

Thank you, Mr. President, Chairman.

I take it then you really have not had as much experience or involvement with the Zoning Board?

Mr. Fife:

No, I have not.

Mr. Hertzberg:

But you correct me if I am wrong. I mean you seem to feel comfortable that you can learn new things?

Mr. Fife:

Well, as I said, I am a worker bee, and I do whatever the job takes. If that means for me to sit and learn what I need to learn to make the proper decision, then that is what I will do. I do not take any job haphazardly. I think my 25 years at the institution that has been built there on the North Side, I do not know if many of you have been over there, again, it is one of the premier institutions in terms of vocational training, that takes a lot of hard work, that takes a lot of dedication, and that is what I do, I am dedicated.

Mr. Hertzberg:

I have a pretty decent background in zoning law as a lawyer practicing. I would agree that if you put your mind to it you should have no problem learning the whole thing.

One of the things that I noticed with the Zoning Board over the years, is kind of troublesome to me, was the speed at which things were done, and when you start talking about development, speed or lack of speed can make or break a project, and I mean whether you are going to decide yes or no a lot of times on projects, the speed at which that decision is made can have a great deal of impact on the parties and on the entire area. So, that is all that I would ask you to keep in mind, and I believe you will be appointed and I would ask you to keep that in mind.

Mr. Fife:

I agree. Well, what I would say is that I hope myself and my colleagues on the board will work as expeditiously as possible to deal with issues that affect the development of this City, and I think that is important, and I think that is one of the reasons why the Mayor has felt that I could do a very good job for him, because I am a paper pusher, I am a very detailed person and I like to see things done.

Mr. Hertzberg:

Thank you.

Mr. Fife:

Thank you, Mr. Hertzberg.

(MR. ONORATO RESUMES THE CHAIR)

The Chair:

Councilman Cohen.

Mr. Cohen:

Thank you, Mr. Chair. Good morning, Mr. Fife. Congratulations on your nomination.

Mr. Fife:

Good morning. Thank you.

Mr. Cohen:

I would like to just pursue a couple of questions with you. First of all, let me just say that I very much admire and respect what Bidwell Training Center is doing on the North Side, and I think that you have really made your mark in being able to train workers and retrain them. So, I am very impressed with Bidwell. This, of course, is a very different appointment that you are up for, and that is the Zoning Board of Adjustment, and given that you do not have the firsthand background in zoning issues that the other nominees have, let me just ask you, generally, why you want to be on the Zoning Board and maybe a little bit of your background with respect to neighborhood groups.

Let me start with the first one first, and that is, why do you want to be on this Board?

Mr. Fife:

Because the Mayor of Pittsburgh has asked me. Again, my abilities, my proven abilities, my strengths, my leadership abilities, my abilities to analyze situations, my ability to interpret regulations and laws, my ability to justifying problems and come up with solutions. I think I want to apply that elsewhere now, because, again, I have been at the institution for over 20 years and it has grown, and now I think I need to take those abilities that I have and put them somewhere else, that is the reason why I want to be on it.

It is not that I come here not familiar with Zoning Ordinances or unfamiliar with Zoning Codes, the institution has been involved with a number of developmental projects that require that I interpret some things as it relates to doing things here at our institution.

But, again, laws and regulations are written, it takes a persons ability to understand those laws, understand those regulations and apply them fairly in whatever situation comes in front of them. I am confident, I know I can do the job, there is no doubt about it.

Mr. Cohen:

Thank you. Do you have involvement, specific involvement with neighborhood groups -- I just do not know enough about you or your background -- on the North Side or elsewhere in the City of Pittsburgh?

Mr. Fife:

Well, I would say, with Bidwell Training Center, not specifically neighborhood groups, but specifically participants who have come from a variety of neighborhoods, from the South Side, to the East End, to the -- East Liberty, I have seen them all, I have talked to most of all of them. I mean I understand problems in the community, it might not be related to development or zoning issues, but just overall knowing what it takes for an individual to survive, and if an individual wishes to motivate himself the training institution is there, it has always been there, their problems are always handled there. And, again, I think that it is time for me to apply some of the skills that I do have to help other City departments.

Mr. Cohen:

If and when you become a member of the Zoning Board of Adjustment, what weight would you give to a neighborhood group that came in, say, and opposed a project, whether that be an expansion of a development or whether it be a bar, a special exception for a bar, but let's say a neighborhood group came in

after a vote of their membership to oppose a particular special exception or a variance, what weight would you give to that representation?

Mr. Fife:

With owners and/or community groups that oppose Zoning Ordinances, again I would like to have all the facts in front of me and also along with my colleagues be able to look at that situation and give a fair decision on it. I cannot say that I am going to be for community groups, I cannot say I am going to be --

Mr. Cohen:

No.

Mr. Fife:

-- I have to look at the issue, I have to look at how the laws and the ordinances apply to that issue and make a determination that I think might be fair.

Mr. Cohen:

Yes, and I am not asking you to take sides, because I do not think that would be appropriate.

But, I do want to follow-up on Mr. Ricciardi's questioning a little bit. You did mention in your opening statement a couple times about encouraging development, and I just need to discuss that with you a little bit as to what you mean by that and how that takes place in the context of usually commercial business districts in neighborhoods?

I will give you an example from my district. There are at least four commercial business districts in my neighborhood and they are all very healthy business districts and I am happy about that, Liberty Avenue in Bloomfield, Walnut Street in Shadyside, Forbes Avenue in Squirrel Hill, Craig Street in the Oakland area. All of them are commercial districts, except for the Walnut Street area -- commercial in terms of zoning. Walnut Street is an "A1" district, and maybe we can get into that a little bit, but each of them involves a business district surrounded by a neighborhood.

Mr. Fife:

I understand.

Mr. Cohen:

And, when you say you want to encourage development, we are all in favor certainly of jobs and development for the City of Pittsburgh, particularly here in the Downtown area, but I need to explore a little bit what you mean by encouraging development in your position on the Zoning Board, especially with respect to the surrounding neighborhoods?

Mr. Fife:

Well, one of the things that I have read with the preamble and the Zoning Ordinances, the Pittsburgh Zoning Codes is that the Zoning Board should encourage public and private development in conjunction with assuring that the morals and the welfare of the community groups are taken into consideration when they do that. But, again, I know all neighborhoods, rather they be on the South Side, North Side, East Liberty, do want some sort of development, commercial development in their areas, they want to be able to go to a community store and feel safe doing that, that is not there, they want it there and the owner wants to put it there, if an ordinance says that we cannot be there, then we need to take a look at that. I think it has to be a situation where you develop relationships with community groups and relationships with building owners and people who wish to develop and you have to -- there is a fine line there and -- but I am for development, I am for creating jobs, as you know, coming from a job training background, I want jobs and sometimes those jobs are locally in the community. So, why stop any kind of development if there is a congenial relationship between both groups.

Mr. Cohen:

Yes, but there never is. And, you know that, too. I wish that were the case, but usually the case -- well, I shouldn't say there never is, there are sometimes. But usually the hard cases are before the Zoning Board, and that is why, obviously, the Mayor nominated you, for those hard cases.

When what exists is, an expansion of a development or placing some development in a neighborhood and the neighborhood group opposes it because they feel it undermines the special quality of the neighborhood --

Mr. Fife:

I understand that, yes.

Mr. Cohen:

-- what do you do in those cases?

Mr. Pife:

Look at the facts, Councilman Cohen, and, again, along with my colleagues attempt to make a decision that is fair to both parties.

Mr. Cohen:

That is very fair.

There are kind of two opportunities here when we have nominees that come before City Council, one of them is for us to hear from you and your background and qualifications for the job. There is one other, and that is our chance to make a little pitch. So, I would like to make a very brief pitch, and that is that in the Zoning Code the major decisions that are made by the Zoning Board involve special exceptions or variances, and one thing I think is often lost is that these are exactly what they say, they are a variance from the law, the law that is established way back to protect the neighborhoods in the City of Pittsburgh, or a special exception from the law. And, I think that it is important to make that point, because the presumption in my view should be in favor of the law as it is written and that if somebody comes in and wants to expand their development or put in a bar, a late night bar -- for example, Councilman Ferlo and I are involved in one on Negley Avenue near Penn, that we are opposing, they are seeking an exception to the law, a variance from the law, and I think that it is very important to look deeply into how that variance or exception would affect the general health of the neighborhood. Under a variance it makes it very, very specific that it is only in cases of hardship that you can grant a variance, a hardship that would actually deprive the owner of any reasonable use of the property. That is a very, very difficult standard to meet. And, under special exception, that no special exception can be granted if the establishment location or operation will endanger the public health, safety, morals or general welfare or will be injurious to the enjoyment of the neighbor's property.

The reason I read that is, there are cases, cases that I have been personally familiar with and, frankly, personally disappointed with from the Zoning Board where that was ignored, absolutely ignored, in my view; some cases they were not but some cases they were, and I think that it is important to weigh, not only the developmental interest but also the very, very legitimate neighborhood interest, to say, this is a City of neighborhoods, we live here, we care about our neighborhood, we want to raise our families here, and this parking lot, or this late night bar is going to hurt us in living a good life here in our neighborhoods. And that is why I think the requirements of the Zoning Board are very, very strict, and I would ask that you look at them in a strict way.

Mr. Pife:

Well, that is your preamble in terms of that, and, again, as a Zoning Board member, if I am confirmed, is to stay in the spirit of that preamble, that is for the Zoning Board, and that is what it specifically says.

Mr. Cohen:

Thank you.

Mr. Pife:

You are welcome.

The Chair:

Councilman Smith.

Mr. Smith:

Yes. Good morning. I have some problems that I hope you can address. It may just be the style or the format of the resume, but in terms of community involvement, because this is the only paying board that the City of Pittsburgh has, there will be cash remuneration for your service. I am looking to see some sort of concept of where you have put your efforts for free in our community, not your employment, which is extremely impressive, but where you have put your efforts, it gives me an opportunity to decide, do I think you will be fair, will you be lenient with business, or will you lean towards community.

So, if you could respond.

Mr. Pife:

Well, basically I had previously been on a lot of boards that are not on my resume, since then I have resigned from those boards. The reason why I have resigned from those boards is, one is -- again, I have to talk about the institution that I currently work for, I mean it is not an eight-hour a day job, it is more than eight hours, it is like 14 to 15 hours a day. Those remaining hours I am going to spend with my family.

But, I have the involvement. The fact that I have been 25 years with that institution that provides a change for individuals to retrain or upgrade their training and get back into the work community, I think is a big commitment, and I have made that commitment to build an institution over there on the North Side that responds, and that took a lot of time to do that.

Mr. Smith:

But your residence is elsewhere?

Mr. Pife:

I am originally from the North Side of Pittsburgh, Strauss Street and Charles Street. I spent 18 years of my life on the North Side and when I come out of college I decided to set up my home in the Highland Park area. I did not leave the City, I stayed in the area.

Mr. Smith:

Well, I am just trying to find out what you have been involved in in Highland Park that would give me a sense. I have no sense. You are an unproven entity. The other people, we can see who they have their history in terms of zoning ideology has been with.

Mr. Pife:

Which is not good.

Mr. Smith:

But, still I am interested in trying to elicit from you something that will trigger my security that there is going to be, not a following of the letter of the law, as much as there is the spirit of the law, and --

Mr. Pife:

At this point in terms of my involvement in community development issues, like the Highland Park Community Club, and so forth, no, I have not been involved with that, Councilman Smith. But, again, I say that it is not a reflection that I am not community oriented, it only proves that an institution that we have built on the North Side requires a lot of time. And, again, I must say that the other time that I do have available I feel that I have to spend with my family.

I am going to be fair. I am a fair man and I think that is the reason why the Mayor has come to the North Side and selected me. I do take issues, I take them seriously, I try to define that issue and find a solution to it and that it be fair when I do it. So, that is where it is at this point.

Mr. Smith:

The next thing I am going to say is not aimed at you as much as it is we now have a Board of Adjustment to which there is nobody and everybody is learning today, do we hold off for 60

days to give an opportunity to just sort of review the code? No one can learn it all, and I would not, even with your background, impress that with you.

Mr. Fife:

I am familiar with the Code.

Mr. Smith:

We are creating a board to which no one is there for continuity of cases, and I think it is an unfair thing to do to yourself, along with the other individuals, a whole new board, no guidance, no one to turn to. So, there is a major learning curve problem that, unfortunately, certain neighborhoods and communities who are already scheduled to appear are going to face, which I think gives undue pressure but an opportunity for yourself, when you are appointed. I know who you are, but you are such an unknown quality and my fear is that this is a quasi legal board that pays big bucks for part-time work and we do not know whether or not -- at least I do not know, let me change that -- I do not know if what I think I am going to get is going to be positive, fair and a total person in terms of reviewing this, because some of it is the letter of law and some of it is the spirit, and I am just trying to get out of you, because to be honest, volunteerism I do not see in your background, everything you have done, you have done well but you have done it for money. Does that lead me to believe that business and corporate and capital are -- and there is nothing wrong with that, there is nothing wrong with that, I happen to come from the poverty struck community service background and so I am trying to find people that I think will at least be middle of the road and issue by issue oriented. I am asking you a philosophical question that cannot be --

Mr. Fife:

Councilman Smith, being on the Board of Adjustment will be dedication on my part, as I have dedicated to everything that I do. I am not coming in here as a neophyte. I do know some of the Zoning Codes. I do know some of the things that the board is required to do. It is a learning process, but everything is a learning process.

Because I do not have the community involvement that you want to see does not mean that I will not do the best job that can be done in that position. I am not money oriented, if that was the case I would not be in the City of Pittsburgh. I am dedicated here because I was born here, I was raised here and I devoted my entire life to helping others that cannot help themselves and I think it is appropriate for me now to take my skills and my abilities and put them where I think it is best also used.

Mr. Smith:

Thank you.

The Chair:

Councilman Ferlo.

Mr. Ferlo:

Mr. Fife, first of all, congratulations, I think you and the other nominees are tremendously capable individuals and I know all of you have the wisdom of Solomon and you are going to be able to do one heck of a job on the Board of Adjustment.

Fences may make good neighbors but, unfortunately, when you are dealing with that issue before the Zoning Board it may not always be the case, depending on how high the fence is, or how long it is, or whose property line it sits on, or what the Code calls for, and, unfortunately, as you know many of the issues that come before the Board are very controversial and very important issues involving orderly development. Sometimes you have made your disputes involving commercial versus residential, but sometimes it is as simple as two neighbors getting along in terms of some variance.

And, I guess, I probably wanted to ask you, have you ever been through the Board of Adjustment experience for any reason, either professionally or just as a community person?

Mr. Fife:

Yes, I have been through it regarding our institution. Yes, when we built a 62,000 square foot facility on the North Side, naturally it took a lot of adjustments in the district to allow that to happen, yes.

Mr. Ferlo:

And that is what I am asking you to do, is to apply not only your business background skills but your life skills and the kind of wisdom and the temperament and the judgments that you need to deal with before the board, and everything is not -- it is not always clear what the issues are. I think you really got to allow individuals -- many people that come before the board are slick attorneys getting paid, they know the Code and they know how to manipulate and phrase things before the board, however, they should have no more or any less equal footing than your average resident, albeit they are represented by a neighborhood group or just a property owner, who may have just as much concern and wants to have just as much a fair hearing before the board.

So, I hope yourself and the other members are going to treat everybody as an equal partner, whether it is an individual person, who is just an individual resident property owner, who does not come down with paid professional attorneys --

Mr. Fife:

I think that is important, and I think that is what me and my colleagues will be about doing, looking at those issues.

Mr. Perlo:

And, the only other thing I ask you is, whenever I am in front of the board just always agree with me.

Mr. Smith:

I think that is what we are all afraid of, Mr. Fife.

The Chair:

Mr. Fife, I would just want to congratulate you. I do not have any questions. I will just put a little caveat on what Mr. Perlo said, and that is, if he is in front of the board and I am on the other side, don't always agree with him, okay?

Mr. Fife:

Okay.

The Chair:

Congratulations. We will move on.
Any other questions? Councilman O'Connor has one.

Mr. O'Connor:

One quick question. Jesse, I am impressed with your background and I am certainly impressed with Bidwell. Again, time wise, do you feel comfortable?

Mr. Fife:

Yes, I feel comfortable. I assure you, I would not have accepted the Mayor's nomination if I did not feel comfortable in being able to do the best job possible.

Mr. O'Connor:

And the people at Bidwell are willing to sacrifice a little?

Mr. Fife:

Yes, I have brought the institution a long way now and I have 53 staff that I think can move along with me being absent for a couple days and wouldn't nothing happen.

Mr. O'Connor:

That is certainly a credit to you how well it is run. Being a part of that must be very exciting and rewarding?

Mr. Fife:

It has been.

Mr. O'Connor:

You did mention you knew the Code. I mean have you been studying or working on it?

Mr. Fife:

Yes, I have been studying it. Since I did receive the call from the Mayor for my nomination I began to pick up information and data and began to read the Code and by the time I take over I will be just as much familiar as everybody else.

Mr. Cohen:

I realize we need the people to be fair to the people you will be working with for or against. When do you feel you would be ready, I mean today, tomorrow, another month?

Mr. Fife:

I am ready to go now.

Mr. O'Connor:

You feel that confident?

Mr. Fife:

Yes. Yes. I do not know the entire Code in detail but I know the thrust, I know the spirit of the law and I feel I am capable of administering that.

Mr. O'Connor:

Well, I certainly congratulate you and wish you well.

Mr. Fife:

Thank you.

The Chair:

Thank you very much. At this time we would like to have Clifford Levine come forward, he is also nominated to sit on the Board of Adjustments.

Mr. Levine, good morning, and it is still morning barely. You have a few moments to address Council before we ask questions.

Mr. Levine:

Clifford B. Levine
6214 Wellesley Avenue
Pittsburgh, PA 15208

Well, I am a resident of Highland Park. I am a partner in the law firm of Thorp, Reed and Armstrong. I am married and have four children. And, basically I am a litigator, a trial lawyer, and a significant part of my practice has been devoted to land use and zoning matters.

The Chair:

Thank you. Councilman Ricciardi.

Mr. Ricciardi:

Mr. Levine, first let me say that you come from a very prestigious and competent law firm.

Mr. Levine:

Thank you.

Mr. Ricciardi:

I salute you for that. I believe one of your strengths are, and maybe you could expound on it, that you served as a law clerk for Commonwealth Court, and it is my understanding, obviously from City politics and government, that all appeals from the Zoning Board of Adjustment do go to the Commonwealth Court; is that correct?

Mr. Levine:

That is correct.

Pittsburgh, I did not ask for that but you forwarded that information to me and to the Law Department, and I really think that is a reflection on you as a person, seeing the City, either in distress or in need and willing on your own to forward us some information and giving us the ability to reflect on that information you forwarded us. I really think that is a reflection on you as a concerned citizen here in the City of Pittsburgh, and I thank you for that.

Mr. Levine:

Well, thank you, and it was my pleasure.

The Chair:

Any other questions? Councilman Cusick.

Mr. Cusick:

I just want to congratulate you on your nomination and I am sure you will be confirmed just by looking at your experience and employment and your background and education. I feel that you -- not only you have gone above the call of duty in a lot of community work, and I am glad to see that this Administration is looking for people with your type of credentials and skills, and I think you will be a great asset to us.

Mr. Levine:

Thank you. I will look forward to working with you.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

I might want to echo that, I am very impressed with your record, have checked some of your references and you come very highly recommended. And, again, I just think you will be an asset to the City, it is time for new blood and to move on, and I just congratulate you and wish you well.

Mr. Levine:

Thank you very much.

The Chair:

Councilman Hertzberg.

Mr. Ricciardi:

Maybe you could just expound or tell us a little bit about your role as a law clerk for Commonwealth Court and when it came to zoning questions or what type of work you did and which judge you served for?

Mr. Levine:

I would be happy to.

In 1982, or so, early 1980s, I was a law clerk to David Craig, who is now the President Judge of the Commonwealth Court, and Judge Craig had been a City Solicitor and had been the author of the Zoning Ordinance back in 1958, or one of the contributors to the ordinance. He also was on the Planning Commission, I believe, in the early 1960s. He really is credited with -- well, he had an enormous zoning practice and he was a partner in a law firm before he went on the bench.

As his law clerk any controversial zoning case would go to him, pretty much, and I had a tremendous opportunity in my year and a half with him to look at a lot of issues and it was a mentor relationship, where he would be able to explain the different areas of the law and kind of the legal theory behind a lot of the zoning and working with the Municipalities Planning Code.

So, any appeal from the Zoning Board of Adjustment typically goes to the Court of Common Pleas and then if it is appealed from there, would go to the Commonwealth Court, which is the court, as you know, that hears the public issues.

So, that has been a great asset and that experience helped me at Thorp, Reed, such that I tended to handle a lot of the zoning matters that our firm was involved with.

Mr. Ricciardi:

Well, I in no way would ever question your skills in zoning and I salute you for all of them, and also I think you bring something else very important, and that is community involvement and community awareness and a love for the City of Pittsburgh. I am aware you are very involved with the Highland Park Community Club, and also the park that was constructed and also the reservoir, a question that is coming before the City, and other things you do.

But, I also want to let my colleagues know that in the past we had some dispute on claims by actors that are trying to escape the police and the liability of the City. Let me just say publicly, I have done some work on that and the research was all done by Mr. Levine as a citizen here in the City of

Mr. Hertzberg:

Thank you, Mr. Chair. Good morning. I take it you, yourself, have practiced before our Zoning Board in the City as a lawyer?

Mr. Levine:

Yes, I have.

Mr. Hertzberg:

Did you have the chance to practice there when Joe Mistick was the Chairman?

Mr. Levine:

A couple of occasions, I believe. I was not involved in any major case. I think an afternoon we'd go over there. Once or twice, that is about all, I believe.

Mr. Hertzberg:

I mean do you have any opinion on how he ran that Zoning Board as opposed to anyone else?

Mr. Levine:

From my experience he was very good, very fair. In fact, one case that comes to mind, I believe we lost. So, I disagreed with his ultimate conclusion but I thought he ran the meeting well.

Mr. Hertzberg:

Yes, I had a lot of confidence in him when he was the Chair there myself.

One of the things that I mentioned to Mr. Fife that I think is important there, and there are a lot of important things, but at various times I have gone through unnecessary delays over there. I think when it comes to -- whether it be development or a dispute among neighbors, speed can make or break a thing, whether you are going to decide yes or no on it. So, the only thing I would ask you to do --

Mr. Levine:

Well, I think you are absolutely correct.

In addition to community work, I have represented a lot of developers in my practice, and I believe that was your observation, that time delays can effectively kill a project,

and I think you are absolutely right, and as a lawyer representing developers, it has been those sorts of frustrations, that the process takes so many years sometimes. So, I have lived that firsthand and agree with you.

Mr. Hertzberg:

Thanks.

The Chair:

Councilman Cohen.

Mr. Cohen:

Thank you very much, Mr. Chair.

Good morning still, Mr. Levine, and congratulations on your nomination.

Mr. Levine:

Thank you.

Mr. Cohen:

You certainly have an impressive resume for an attorney and come from a fine law firm.

Let me ask you a question up-front just about the process here. Have you been appointed to be Chair of the Zoning Board or have you not been informed of that yet? My understanding coming into this meeting was that you were appointed to be Chair of the Zoning Board.

Mr. Levine:

It is my understanding that I would be a member of the Board of Adjustment, however, under the City Charter one member of the Board of Adjustment must also serve on the Planning Commission, and that I would be that individual, and that there is no requirement by the Charter that individual be the Chair.

Mr. Cohen:

I believe that is true. In the past it has been, but it is not a requirement. But, do you know who is going to be the Chair of the Zoning Board?

Mr. Levine:

Mr. Murrin, Regis Murrin.

Mr. Cohen:

The next nominee.

Mr. Levine:

That is right.

Mr. Cohen:

Tell me a little bit more -- well, first of all, just going into your background a little bit further back in history, and that is your being a law clerk to Judge David Craig. I have a great admiration for Judge Craig, and I think that there may not be anybody in the Commonwealth that knows the Zoning Code better than he does. So, you certainly started at the feet of a real, real giant, I think.

Mr. Levine:

That is true.

Mr. Cohen:

But, since then, let's talk about your career a little bit, especially in the zoning area. What types of cases have you personally brought before the Zoning Board, just categories, types of cases or types of clients?

Mr. Levine:

Well, actually my cases before the Zoning Board have been more limited than my general zoning practice. The cases, I represented on a pro bono basis Birth Place, which is the mid-wife -- I do not know how you call it -- a mid-wife --

Mr. Onorato:

Mid-wifery.

Mr. Levine:

-- mid-wifery. Thank you, Mr. Onorato. And they were seeking a -- I believe a special exception to be located in the Friendship District, and that was an occasion before Mr. Mistick, and that was turned down, but they have since relocated on Baum Boulevard. That was an experience.

I have represented individuals --

Mr. Cohen:

I know where that is, yes. It is nice and it is beautiful.

Mr. Levine:

And, I have represented individuals for relatively small matters, such as the -- fences and I believe there was an instance with a liquor app., there was a question about converting to a liquor license, and that sort of thing.

Most of the more substantial zoning matters --

Mr. Cohen:

What was that case with the liquor license?

Mr. Levine:

That was an establishment on the South Side at the time that Deborah Miskovich, I believe, was the Chair, and there had been an issue about a violation and I had represented an entity, and to be quite frank with you, I do not recall the -- it was a relatively small matter, and we did that in about an hour.

So, those have been the matters in front of the Zoning Board. The more substantial matters have been, early in my career I represented Shaler Township and we used to go in and have some enforcement actions, enforcement proceedings. I have represented Chambers Development Company, the landfill company, and we had some substantial zoning matters there, and I have represented them from the developer's side of view.

Mr. Cohen:

Was that the Monroeville case, or is that --

Mr. Levine:

Yes, I have been involved in the Monroeville case, which is still pending before Judge McKay now.

Mr. Cohen:

And I won't ask you questions about the case for that reason, but was there also a representation of Chambers before the Pittsburgh Zoning Board?

Mr. Levine:

I did not represent Chambers in that instance, not in front of the Pittsburgh Board.

The Chair:

Councilman Cohen, could we just take a break and just switch here, I think her fingers are tired at this point. Thank you.

(AT THIS POINT, I WAS TEMPORARILY RELIEVED BY
MARY ANNE HRUSKA)

(CONTINUED ON NEXT PAGE WITH NO LOSS OF CONTEXT)

(cont'd)

Mr. Levine:

I represented -- I had a number of cases where I represented a gas station or a company where they were building gas stations and they would often have to go into the various areas seeking variances. On Chambers, I've represented them on a number of occasions and I'm involved now in a project representing the Fox Chapel Water Authority and they are erecting a water tower and that's been the source of substantial litigation, so I have been involved in a number of very controversial projects in terms of public interest to which you were earlier referring and others and then I have had a lot of experience in municipal-related cases that weren't specifically zoning.

Mr. Cohen:

Tell me a little bit about those, just the general category. Were those before Courts of Common Pleas or other --

Mr. Levine:

-- my practice has been in both Common Pleas, Federal Court. My general area would be commercial and development litigation. I do construction work, I represent a couple of contractors and that's also included some construction arbitrations, so I would say the overall development, I have had a number of actions in front of the Public Utility Commission representing developers of independent power projects that is not involved in zoning per se but involves both federal and state utility law. So I've had the fortune of having a varied practice and in a nutshell I would say it's commercial/construction/land use.

Mr. Cohen:

Tell me how you will deal with potential conflicts that come up? It happens to any attorney in a law firm but particularly one who is being appointed to a board that concerns issues that you have worked on in private practice. Have you thought that out and come up with a plan as to how you would deal with potential conflicts?

Mr. Levine:

Obviously if I represented a client I would not want to sit under any circumstances in a case.

Mr. Cohen:

Let me ask you about your participation in the Highland Park Community Club. First of all, thank you for your work as counsel to the super playground project. Thanks to your wife and Councilman Ferlo of course worked so hard on this and it's such a terrific project. Have you had other participation in the Highland Park Community Club other than the super playground?

Mr. Levine:

I'm on the Board of the club and we've have been involved in the the ongoing process. In fact, I worked with Mr. Ferlo about seven years ago where there was an effort to revitalize Bryant Street which is an ongoing difficult project, I was involved with that a little bit and more or less overseeing the club because it's a very strong, community-based group and I've been involved with that and my other primary involvement has been having four small children, I try to focus activities in which they are involved. I have been a coach for the Dynamo Soccer group and I know one of your members is very involved with that group and so I've done that for about six seasons.

Mr. Cohen:

It's probably good preparation for the Zoning Board anyway.

Mr. Levine:

And then my children is are in the Sacred Heart League and involved with the baseball, but I do make an effort. I'm involved with the Highland Park and we do some pro bono work as Mr. Ricciardi mentioned and I have been willing to help out on legal aspects on a pro bono basis and frankly with four children I try to devote whatever extra time I have to activities in which they would be involved.

Mr. Cohen:

As far as the question that I had asked Mr. Fife earlier and that is the wait, and I realize these are difficult questions so I'm not going to give you a specific hypothetical, but what kind of wait would you give to a community group whether it be the Shadyside Action Coalition or Friendship Preservation Group, what wait would you give to that group if they had a vote on a given variance proposal or special exception proposal and came before the Zoning Board and stated their being in favor or opposition as a neighborhood group?

Mr. Cohen:

You would not appear before the Zoning Board.

Mr. Levine:

No, absolutely not. I'm not prepared to appear before it and I don't think it would be appropriate for me to -- I'm reminded of a Woody Allen movie where I believe he cross-examined himself and I wouldn't be involved in that situation. I believe though I did check the Ethics Act and I believe that in a case of a three-member board that what is envisioned is that the third participant identify the conflict and then in the event that the two individuals are tied that there has to be some sort of a majority and I know you as the sponsor of the Ethics Bill, there would be questions that I would want to confer with you and the Law Department but that was my initial reading of that, that in certain instances if I had some sort of a personal involvement, I may identify that but that I am still -- it is envisioned that I would at least sit there in the event to serve as a tie breaker and I think that's a unique situation with a three-member board. That's something I would want to get clarification.

Mr. Cohen:

That is the problem with a three-member board but I think that we can discuss particular instances but I think it's probably best in those instances to recuse yourself if you have any personal involvement.

With respect to members of your firm that might appear before the Zoning Board, how do you deal with that situation?

Mr. Levine:

I don't see that our members of the firm should be in a position of appearing before the Zoning Board as long as I'm on the Zoning Board. In that case somebody else should handle that one. As you know, there's an appearance of impropriety and I think the most important thing in any court is that everybody has their fair day whether they win or lose and I think that's the underlying guideline to any type of ethical decision.

Mr. Cohen:

Please know that I'm not implying any --

Mr. Levine:

-- your questions are quite legitimate.

box; right? The other side doesn't have to establish its burden.

Mr. Levine:

That is true. Legally that highlights the difference between the special exception and the variance in that I think a variance the applicant really has all of the burden to show hardship. He has to show the five conditions or so that you meet hardship, physical, etc., whereas the special exception is slightly different in that once the applicant meets those conditions then the objectors have a basis to object to that.

Mr. Cohen:

One question that I have always had because I think that there is a belief that economic hardship is not enough to prove hardship under variance and that means if a store owner says "I will make more money if I have a second floor added to my building", and someone refers that as economic hardship, is that enough to satisfy the hardship standard?

Mr. Levine:

No. I suppose if he's says I'm going to go out of business and it's so severe it's going to destroy my business, then in some cases it suggests that may be enough.

Mr. Cohen:

It's not just saying that but you would have to look and see whether that was actually true.

Mr. Levine:

That's right. I would have to weigh, along with my colleagues, we would have to weigh the evidence and if there's two opinions we in the end have to decide whether it was a red light or a green light.

Mr. Cohen:

Are you familiar with the "A1" zone?

Mr. Levine:

Yes.

Mr. Cohen:

Have you done any work?

Mr. Levine:

That is a good question. In fact, I can go back to one of Judge Craig's opinions about 14 years ago which has been a landmark decision and on a decision he discussed the relative burden of proof or burden of persuasion that the various sides would have and what he said was that in a conditional use or special use or special exception where the applicant must meet six or eight conditions, that that applicant has the burden of proof to show adequate parking or adequate whatever. Then there are a second set of conditions which are community-related conditions. Undo traffic, public health, safety and welfare issues, and those are the issues that the objectors have the burden of proof going forward with the evidence. So the way I would approach these conditional uses and special exceptions is it would be first incumbent upon the applicant to set forth and introduce evidence in that proceeding showing -- justifying those conditions. Then it would be incumbent upon the objectors, be it in the form of an organized group or what have you to come forward and actually introduce evidence to show that there's going to be a traffic problem or just show that something causes a problem. Because it is a quasi-judicial body, I think that the mere vote of a group isn't enough evidence. In other words, if a group doesn't want this project and simply says we voted against it, as a board member I don't know that that meets the standard of proof that they would have. On the other hand, if the group offers evidence and has substantial evidence that would show these things then of course that means a lot and I think you have to respect a large group and a unanimous group. You'd have to respect that as something that there's a legitimate concern and I would note it as such.

Mr. Cohen:

That would be evidence at least of going towards the burden of proof. Not necessarily meeting that burden of proof but it would be some evidence.

Mr. Levine:

That's right.

Mr. Cohen:

I like that description because first of all it's the law but also I think that it is a proper way to go about it in that the applicant for the special exception or the variance has the first burden of proof and I assume it means that I realize we're getting into some legalistic discussion here but it's a legalistic board. If the applicant doesn't satisfy the burden and for example the special exception the burden -- or let's take a variance, the burden that there would be hardship involved which is a hard standard to meet, then he's out of the

Mr. Levine:

No, I have not appeared before the Board or represented anybody specifically with "A1" questions but I'm familiar with the general concept.

Mr. Cohen:

The reason I ask -- I'm very confident that you know zoning law. The reason I bring it up though is it is a very important issue in my district with respect to Walnut Street which is an "A1" zone which as you know means an integrated inner mixture of commercial and residential and because it's that it is commercial and residential together it makes for a potentially very tense area and it has specific requirements different from any other zone. Except for some limited uses. Every use that is attempted to be brought forward in an "A1" zone has to come before the Zoning Board and not for a variance or a special exception but just for that use and I'm wondering what principles you would bring to bear in determining whether that use is an appropriate one for that kind of zone.

Mr. Levine:

I guess that there be some synergy, that when you have -- I think the unique aspect about Pittsburgh and part of the reasons that I think -- from an ideological point of view I feel so comfortable serving under with the Mayor is that I think he recognizes that what makes Pittsburgh unique is the interaction of some of its commercial districts with its community. I think it would be a mistake to try to recreate shopping malls in some of these neighborhood districts. I think the East Liberty experience 20 years ago showed why that may be a problem, so I think you have to have that balance. On the other hand, I think barring all development which I think sometimes is the reaction once a group is satisfied and somebody's moved into a house and to bar all development, I think that's not healthy for the ongoing existence in the neighborhood. So what I would say for instance with Walnut Street, certain uses that are already there that are consistent with those uses, that you would see. Obviously some club in a district where there are no other clubs that would be open at 2 A.M. and maybe are in close proximity, that would raise the question.

Mr. Cohen:

One last question, this is obviously a very important position for the City of Pittsburgh and that is in the "A1" Zone again. I'm sure you are aware that there is a requirement that any new development that comes in also has to provide its own parking. Parking has been a lifelong problem in the neighborhood of Shadyside and my personal view is that because so many variances were given to that requirement that helped to

create the severe parking problem that exists there in that neighborhood. I think that the parking problem has really problem if not solved at least ameliorated by the parking agreement that exists there, the parking garage and the permit parking for the neighborhood, but the next decade or so is very, very important and as I said to Mr. Fife, this is our only chance to have this kind of discussion with you and this is not a question so much as it is an encouragement and that is that if variances continue to be granted there then we're going to have a parking problem that is untenable and contribute to the demise of a very, very strong neighborhood. So I would ask that you also abide by the law when it comes to that requirement for "Al" zones because right now it's okay and if any more variances are granted, then it's going to make that matter much worse.

Mr. Levine:

Of course we'd have to decide every case on its own merit but I do hear your concerns.

Mr. Cohen:

Thank you for and I thank you for this discussion, it's been an enjoyable one.

Mr. Ferlo:

I know this gentleman, he's a great gentleman, he'll be a great asset on the board. Mr. Cohen asked all my questions.

The Chair:

Thank you. I wish you well.

Mr. Smith:

Just quickly. Dan really grilled you on many of the questions I had. You have a background of community service and working for some of the most prestigious law firms in the city. To me, that gives me a balance to review and believe that you understand not only the letter of the law but the spirit of the law. This is one of the most important boards to development and also resolution of community problems. How will you compensate for those individuals who don't have the legal expertise when you're discussing burden of proof and so forth? What can we do to help those individuals who don't understand? They know there's a problem but how will your board address or your interpretation when you have someone who has a fourth grade education who comes before you who doesn't understand or comprehend how to present this in a legal format before you against a major developer or someone from a prestigious law firm? I want to hear generally how you would help the average

citizen combat or get through this particular system and get everything out?

Mr. Levine:

That is a good question and I think what is taking place before the Board and the reason it's called a quasi-judicial body is that it obtains a body of evidence and that becomes the whole story. Whether there may be other factors outside of that story become irrelevant. That's the story and when it proceeds on an appeal, those are the issues and I think the job of a lawyer is to go to his client and say "Your obligation in presenting the story is to show Points One through Six and the other side's obligation is to show Points Seven through Ten and I think when you don't have a lawyer and you don't have the sophistication to look at the code, that particular individual doesn't know that he must describe and discuss conditions One through Six or Seven through Ten and I think it becomes incumbent upon the Board in that situation to let this individual know that for instance is there any evidence now you're complaining about the traffic concerns or the late night or some other problem -- to develop that with the person. That doesn't mean you become an advocate against the other side but I think you would in effect -- leading questions perhaps and helping that person and by the same token I think any judge in that situation has to a more critical approach to cross-examination of the developer. For instance, if a developer has presented conditions One through Six and the objector has said nothing, I think it's incumbent upon that lawyer and that situation to say, "Let me ask the developer some questions and maybe assume more of an active role than he would otherwise event."

Mr. Smith:

Bingo -- because I have gone down with people who did not under the system and I watched our last board actually do that role. When they realized that the people did not understand how to present their information, they assisted in bringing information -- not changing anything -- but bringing out of these individuals the points that needed to be raised without making individuals feel inferior and that is what I'm looking for. I'm looking for fairness. I'm not looking for a phone call. I'm looking for fairness for each and every individual in the City of Pittsburgh that walks before there. Many cases are just two neighbors who just hate each other, but many times it is individuals who have not been involved in the system who know that it's going to do something to affect their lives but they don't know how to express it but I'm very happy, very content and I see a balance and I will be supporting you.

Mr. Levine:

Thank you very much.

(AT THIS POINT, MS. WILDS CONTINUED STENOTYPING THE MEETING)

(CONTINUED ON NEXT PAGE WITH NO LOSS OF CONTEXT)

MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

My colleagues, I just received a note. Unfortunately, I have to leave to something very important in my district. I am going to turn this over to Council President Ferlo.

But, before I go I want to just make a comment. When you get to the Bill 305, dealing with Cosmos, I represent the area of the City that is mostly affected by the problems with Cosmos, and I want to go on the record right now, after reviewing it for seven days, that I am in full support of filing on as the appeal for this City, and I want to cast my vote early and it will have my vote for the final vote on Tuesday, too, and I think that we should give party to that appeal and try to get as many municipalities as possible, and I will explain my reasons on Tuesday. Thank you.

Mr. Ferlo:

Thank you, Mr. Onorato.

(MR. ONORATO LEAVES THE MEETING, MR. FERLO ASSUMES THE CHAIR)

The Chair:

Mr. Regis D. Murrin, South Linden Avenue, if you could come to the table, please.

Mr. Murrin:

Regis D. Murrin
200 South Linden Avenue
Pittsburgh, PA 15208

Mr. Ferlo, you got it right the first time, not many people do.

The Chair:

There are a few things I get right the first time, but go ahead.

Mr. Murrin:

Good morning, ladies and gentlemen. The weather changed and I have a cold, so I may go raspy as I go on here.

The Chair:

Mr. Murrin, could you just bring your microphone a little bit forward.

Mr. Cohen:

Oh, that is a good quality in a judge anyway, a raspy voice.

Mr. Murrin:

All right. I hope you all have a copy of my resume but I will give a brief summary. That I have been practicing law and living in the City for 30 years, raised a family here. Academically, as you will see from my resume, I rather specialized in zoning and planning and municipal matters, both in law school and in receiving a Master's of Law at Temple, and I had the advantage of spending six or seven years kind of at the feet of David Craig, too, although not to the extent that Cliff Levine did, since I was in his law firm in the early years of my practice.

I am basically here today because as I reach the end of an active law career and begin winding down a number of my colleagues were gracious enough to suggest that my experience and perhaps my knowledge and temperament would suit my serving on the Zoning Board of Adjustment and I certainly appreciated their comments and it really confirmed my feeling about it that I wanted to serve on the Zoning Board of Adjustment. I think I perhaps my major feeling as an attorney sometimes is I have been accused of being too fair and I think in a sense that is the role that one should be playing on the Zoning Board of Adjustment.

And, I think, gentlemen, that is the end of my comments.

The Chair:

Thank you, Mr. Murrin. Now, let's go around the table.
Mr. Ricciardi.

Mr. Ricciardi:

I will pass for right now. Thank you.

The Chair:

Mr. Cusick.

Mr. Cusick:

I would just like to make a few comments.

And, after reading your resume and being very impressed by your background a few things stuck out in my eyes, and I have always looked at people that graduated from the University of Notre Dame as being quite successful and people that are very

committed to whatever job they take on, and not only that, that he does have a -- he also was in the United States Navy, which I also share that with you, and I wish you a lot of luck and I am sure you will be someone that will be fair with all parts of the City when working. I hope that you will take into consideration that there is no one from south of the rivers on the board and it is a concern of mine and I think of my colleagues, Mr. Ricciardi and Mr. Hertzberg, and that you will work with our community groups and with us in utilizing our skills and some of the knowledge that we have of our community in making your decision, I hope that you will.

Mr. Murrin:

I think that as a role of the board members when a matter comes before them should be to visit the site and get a feel for the neighborhood, because if Pittsburgh has a unique strength, it is diverse neighborhoods, and I think that preservation of those is a major role of this board.

Mr. Cusick:

Just as I said, one of the major concerns that I know that I have is not having representation on the board from south of the river, and I hope that as you are confirmed as our Chair, that you will take that into consideration.

Mr. Murrin:

I certainly will.

Mr. Cusick:

Well, thank you very much, Mr. Murrin.

The Chair:

Mr. O'Connor.

Mr. O'Connor:

Just to elaborate that, I am from the East End, and we want to make sure we -- even though we live there, we do not take care of everybody across the river. So, do not forget, you still have the East End to worry about.

Mr. Murrin:

I shall not do that.

Mr. O'Connor:

These guys keep picking on the North Side right now gets everything, you know what I am saying.

Mr. Murrin:

I think I am in Mr. Cohen's district, but I will remember you, too, Mr. O'Connor.

Mr. O'Connor:

Are you involved at all, have you followed the Darlington Road, JCC, JCO projects at all?

Mr. Murrin:

I am aware that it is there, let's put it that way. I first put my hat in the ring for this position probably in October, and quite frankly, I have intentionally not pursued it any further feeling if I was going to be involved in making that decision at all I should do it on the basis of the evidence which comes up at the hearings and not on what I read or hear elsewhere.

Mr. O'Connor:

That is very good, because I feel we are making a lot of progress with the community and the neighborhood -- not only the neighborhood groups, but JCC, JCO, so we -- although the Zoning Board cannot appeal it again and we hope it does not come back, we hope we can resolve it ourselves, so --

Mr. Murrin:

If I might interject something here, too, which I know that the prior nominees thought but it just did not come out in the discussion. My experience, which has not been too great at the Zoning Board in the past, has been that half the time they are attempting to carry out a reconciliation or mediation process and to avoid the confrontation, if possible, and I think that is a major role also of this board.

Mr. O'Connor:

Like joining Council, mediation is half our job, I think.

But, I was certainly impressed with your resume and wish you the best.

Mr. Murrin:

Thank you, sir.

The Chair:

Thank you, Mr. O'Connor. Mr. Hertzberg.

Mr. Hertzberg:

Thank you, Mr. Chair.

Like the other two other candidates, your credentials are really exceptional, and I congratulate you for being nominated.

And, the only question I would ask is the same one I mentioned before and that is concerning the speed at which things happen there at the Zoning Board, I think it is very important.

Mr. Murrin:

Well, hopefully I will have an advantage, as that I would plan the active practice -- to discontinue the active practice of law after this year, that is in December 1994, and my job on the board would be my primary duty thereafter.

Mr. Hertzberg:

Thank you.

The Chair:

Thank you, Mr. Hertzberg. Mr. Cohen.

Mr. Cohen:

Thank you very much, Mr. President.

Mr. Murrin, I also am very impressed with your background, and I think a couple of things that you did not mention but ought to be mentioned, and that is your war record. You were in the United States Navy and served in both Korea and Vietnam, also that you worked in the Kennedy Administration, to my understanding, as the predecessor to the Department of Housing and Urban Development. Those are both very, very fine achievements, and I want to say that I admire and respect that.

I would like to talk just a little bit, as I have with the last two nominees, about your background in zoning and how you would go about being fair, as you said.

And, I am glad to hear that, one, that you also worked with David Craig; as I said before, I am a real admirer of his, he is a giant in this state in this area, and also that if you had a weakness, it would be that you are too fair, but obviously that

is the number one criterion for somebody who is the Chair of the Zoning Board.

Tell me just a little bit, though, about your background in zoning, and perhaps about your current practice and clients?

Mr. Murrin:

I, unlike Cliff Levine, have not been a litigator but I have been basically a real estate practitioner, and that has generally involved either representing developers or maybe public -- or, quasi public bodies, such as Action Housing and Development, in situations, some major, some small, and most of my zoning work has been, shall we say, consulting with other lawyers on a team as to how to structure something in order to achieve a development.

I have appeared before the board, oh, maybe eight or ten times over my entire career, so I know basically how it works. But, it has been generally overall planning as to what is needed, is a variance needed, is a special exception needed, is nothing needed, what are the parking problems, what are the traffic problems, how do we meet this type of difficulty in proceeding with development.

Mr. Cohen:

Tell me about your work with Action Housing, was that a significant --

Mr. Murrin:

It was significant, but it was a long time ago, there is no doubt that, Dan. It was probably the first ten years of my practice at the firm, that was Baskin, Sacks and Craig then, they represented Action Housing, and I kind of became the point man for all of the -- I guess these were really the baby neighborhood associations that started in Pittsburgh, Homewood-Brushton, Bob Pitts, Dick Adams, Jim Cunningham. Those are the people I know. So, I kind of lost touch to that extent. And, I guess maybe Jay Goggin, I do not know. Who was it at Perry Hilltop when it started?

Mr. Cohen:

That was kind of a golden period in terms of organization.

Mr. Murrin:

And, Jay Nepherson was in South Oakland. So, it was a -- it was really a hands-on there, which was very good, that if they had a problem they would call me and we would work it out,

and I attended the neighborhood meetings and see the -- what the problems were and how the organization itself was progressing.

Mr. Cohen:

Do you personally represent clients now that have cases before the Zoning Board, that you know of?

Mr. Murrin:

Do I personally? No. The answer to that is no.

Mr. Cohen:

Let me get into the same issue that I had raised with Mr. Levine, if you would. If you could just address the potential conflict issue. Again, not in any way I would never question your ethics or your firm's, you are at a very, very fine firm, Reed, Smith, Shaw and McClay, but how are you going to deal with conflicts?

Mr. Murrin:

I think one of Cliff's last remarks -- and he and I are good friends -- was that it is not what you do but the appearance of what you do has to be the parameters. So, I have read the City Code and I know the -- I have read the State Code, and I feel that for starters that I should recuse myself from any matter wherein Reed, Smith is representing a party before the board, and further I should recuse myself from any matter by some client who is not represented by Reed, Smith in this matter but who may otherwise be represented by Reed, Smith. That is where you start and you may go further than that, but that is the start.

Mr. Cohen:

Right. And, again, you, of course, would not appear before the Zoning Board, obviously, that probably should not need to be mentioned?

Mr. Murrin:

Oh, absolutely not. Of course not. In fact, I do not think I should appear before the City in any matter that might be a matter of -- a controversial matter.

Mr. Cohen:

Correct. You had mentioned before that -- and I did not quite understand -- what your plans are for the future. Is the Chair of the Zoning Board going to be your sole practice soon, or are you going to continue to have clients?

Mr. Murrin:

Well, that is where this came up. As I said, some of my younger partners knew that I was probably planning to retire or substantially retire at the end of this year, and so I will be in full practice until the end of December 1994, and thereafter I may have a few selective clients but I will no longer be in the full practice of law and, therefore, the Zoning Board can be my primary task.

Mr. Cohen:

Well, I am glad to hear that, I really am, because this will -- as you know, it is an important appointment, and your ability to make it your primary focus would be great for the City of Pittsburgh.

Mr. Murrin:

I know there is a backlog and it has to get rolled out. As Mr. Hertzberg said, I think speed of getting things out is very important. Although I think you have all considered that, this morning, as a matter of fact, I think Mr. Ferlo has, that with three new people on the board there are going to be a few starting pains, I am sure.

Mr. Cohen:

Yes. My fellow Council members are probably not so happy about the speed at which we are getting the nominations confirmed today.

But, let me ask you the same question that I had asked the other two nominees, and that is with respect to neighborhood groups. If a neighborhood group were to come in and say that they have taken a vote and they take one side or another for a proposed zoning change in their neighborhood, how much weight would you give to that?

Mr. Murrin:

Well, let's put it this way, I think the ordinance even hints at it now, if their position is based on the failure of the developer, shall we say, to meet some of the criteria, obviously they should be given great weight. It is not the fact that they are a neighborhood group, but it is the fact that the position they have taken is in keeping with the ordinance, that there is a traffic problem, or there is an adverse change in the neighborhood, et cetera.

Mr. Cohen:

I had spoken earlier with Mr. Fife, talking about my view of special exceptions and variances and how they are, in fact, exceptions from the law, and I wonder if you had heard that and whether you have any thoughts --

Mr. Murrin:

Oh, I heard that and, in fact, Mr. Levine and I had discussed that while you were doing it. I think that he pretty well set forth what my understanding of the law is, too, that there is a shifting burden of proof. A variance is a very, very strict and tight problem and they are, in fact -- in essence, looking at the cases, it is almost impossible to grant a variance, if you get right down to it; however, on the special exception, it is the other shifting burden, and as I think Judge Craig said in a case, that once the grieved party or if the petitioner meets his burden, then unless he runs a file of the parking adverse impact in the neighborhood, et cetera, those problems, then the burden of proof then shifts as against him an order that it has to be granted unless it can be shown that, in fact, there will be an adverse occurrence because of the granting of the special exception.

Mr. Cohen:

Well, I am glad to hear you say that about variance, because I also agree that a hardship is very difficult to prove.

On the special exception part, there is very broad, general language that is used, saying things like, the establishment will not undermine the public, health, safety, morals or general welfare of the community, or that the proposed use would be injurious to the enjoyment of their property. How do you get from that general language into whether or not it is -- the burden of proof is satisfied?

Mr. Murrin:

I think it is definitely a weight of the evidence that we have to use our reason, and that is why we are on the board, to decide the tough cases, the tension between, shall we say, the status quo in the neighborhood and development.

Mr. Cohen:

So, it is a balancing act?

Mr. Murrin:

Yes.

Mr. Cohen:

Mr. Murrin, thank you very much for this discussion. I very much congratulate you on your nomination and want you to know that I will be supporting your nomination for many reasons, not the least of which you are a constituent to District 8 -- no, that is not it. But, I will be supporting it, because I think that you will be fair, and I look forward to your serving the City of Pittsburgh.

Mr. Murrin:

Thank you, Mr. Cohen.

The Chair:

Councilman Smith.

Mr. Smith:

What can I say, one of the most impressive backgrounds presented to us for any board in this City.

You have answered, due to Dan's cross examination -- you have answered many questions, that I am just a simple, common community person, who is fearful of government and feels that it does not always serve the interest of the common man, and I think you have presented yourself that you will be fair and equitable to those of us who do not have the educational background and experience as we present ourselves before you.

Mr. Murrin:

Thank you, sir.

Mr. Smith:

So, I thank you, and I have no questions.

The Chair:

Congratulations, and obviously you have a talented background. I do not like the fact that you work for Reed, Smith, I do not like their union busting law firm that they represent and I hope you disassociate yourself with them as soon as possible.

But, notwithstanding that --

Mr. Murrin:

Yes, I was going to do that, sir, even without your prodding.

The Chair:

I won't refer to their real name, but other than that, I hope you disassociate yourself quickly with them.

But, notwithstanding that, obviously you would be a tremendous asset to the board, and obviously, given your life's skills that you have acquired, I think you would be able to deal with the temperament in terms of the conflict that oftentimes arises in the board with frustrated residents, community groups opposing each other sometimes, community groups opposing a development, and I think you bring a lot of skills that I think will help with the process.

Again, just be fair to all those represented at the board, not just those who have legal representation there. Oftentimes the Chair is called upon to play the role of mediator and to help facilitate some input from people who just do not understand, as Mr. Smith refers to earlier, just do not understand what the process is, and I feel very confident that you are likely the person who is going to very much help put that information out when individuals and groups are before you at the Board of Adjustment.

So, I appreciate your willingness to serve, and, if anything, I think we should thank you also for agreeing to serve, and I think you will be a tremendous asset to the board. And, I will be going around the table here, you will be seeing a lot of us, we all frequently appear before the board and we will have many opportunities in the future to have debates and discussion.

We do not vote at the Committee Meeting Sessions on these appointments. We do have a Recess Meeting and I believe we would be inclined to move along in the Housing Authority appointments, but at this time a number of Council members have asked me for an opportunity to meet individually with some of the Board of Adjustment nominees between now. So, I would like to suggest that later on we vote finally on the Board of Adjustment nominees for the final action this coming Tuesday, so that each member can feel comfortable in their actions.

But, at this time, if there are no other questions of Mr. Murrin, congratulations and thank you.

Mr. Murrin:

Thank you.

The Chair:

Thank you all and thank you for your patience, we had some very important appointments obviously today to consider,

appointments to the Housing Authority, appointments to the Board of Adjustment and it does take time to get through the process.

(END OF COMMENTS)

PREPARED BY: CHERYL L. WILDS
STENOTYPE REPORTER

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

March 29, 1994

No. 13

Municipal Record

ONE HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO President
LINDA M. JOHNSON-WASLER ... City Clerk
KURT J. SALAC Asst.
City Clerk

Pittsburgh, PA
March 29, 1994

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo, Pres.

ABSENT:

Mr. Darkins

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

The Chair:

I am honored and pleased to have two 4th graders from Spring Garden School. Cynthia Piatt and

Darlinston Wright. We are also very honored that Mr. Jack Watson is here today, the Principal from Spring Garden. They will lead us in the Pledge of Allegiance.

Cynthia Piatt and Darlinston Wright:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Thank you very much Cynthia and Darlinston. We have an official City Flag to present to you. We also thank Principal Watson for your attendance here in City Council.

At this time I would like to move quickly, we have a number of honored guests in the audience.

PRESENTATIONS

Mr. Cohen:

NO. 343 WHEREAS, Susan L. Wolf has served the Pittsburgh Jewish Community as President of Rodef Shalom Sisterhood, President of the Ladies Hospital Aid

Society, Vice President of the Women's Division of the United Jewish Federation, and is currently serving on the Boards of the Jewish Family and Children's Service, B'nai B'rith Hillel Foundation and the Jewish Community Center; and

WHEREAS, Susan L. Wolf is a Life Member of Hadassah, B'nai B'rith Women, Na'amat/USA, ORT, and the Ladies Hospital Aid Society; and

WHEREAS, Susan L. Wolf has willingly and ably served as mentor to younger members of the organizations in which she has served; and

WHEREAS, Rodef Shalom Congregation and State of Israel Bonds are honoring Susan L. Wolf by hosting a Tribute Breakfast on Sunday, April 3, 1994 with noted author and journalist Dr. Ruth Gruber as its featured speaker; and

WHEREAS, Susan L. Wolf is a devoted daughter, sister, wife, mother and grandmother.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Susan Wolf for a lifetime devoted to the betterment of the community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Tuesday, March 29 1994 Susan L. Wolf Day in the City of Pittsburgh.

The Chair moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Cusick:

NO. 344 WHEREAS, Carrick High School is known for striving for excellence in academics and athletics; and,

WHEREAS, for the past four years the Carrick Raiders Girl's Basketball team had participated in the Pittsburgh City League Class Quad A title games; and,

WHEREAS, on Monday, March 7, 1994 the Carrick Raiders played the Allderdice Dragons in the championship title game and although early in the second quarter the Raiders were down 14 to 4 through hard work and good defense the Raiders defeated the Allderdice Dragons by a score of 51 to 32; and,

WHEREAS, the Carrick Raiders are now the 1994 Class Quad A Pittsburgh City League Girl's Basketball champions due to the superior efforts of Head Coach Nick Kunich, Assistant Fred Yee, Managers; Megan Hughes and Kristen Michel and especially the players; Lisa Baldinger, Sara Bialek, Marla Eberhardt, Shannon Frazier, Jessica Glass, Joyce Gutkowski, Samantha Joos, Kristy Krall, Michelle Maegle, Janet Singer, Kellie Stadelman, Nicole Whitworth, Tammy Bufalini, Lisa Fox, Shannon Goodwin, Sara Mamula, Tammy Sillman, Raeanne Zebra.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby commends the Carrick Raiders Girl's Basketball team for their achievement in winning the 1994 Class Quad A Pittsburgh City League Girl's Basketball championship.

The resolution was approved and seconded.

Which motion prevailed.

I would like to congratulate the Carrick Girl's Basketball Team for all their hard work.

Principal Jerry Minsinger:

Thank you Mr. Cusick, I'd like to thank Council for this honor. I would like to publicly acknowledge these students. Just a few short words in regards to the girls. This is my first year at Carrick, but I know this is their 4th year in the City Title Game.

I read an article recently in a local paper in Carrick, of how they were determined not to be the Buffalo Bills of the City League Girls Basketball. They had played in the Championship games three years previous, loosing to Allderdice. This year they were determined that this would not happen, in fact they went off to win a State playoff game, loosing to the eventual State runner-up Altoona.

We are very proud of these students, not only for their skills on the basketball court, but also for how well they work together as a team, both on and off the court. I think that is a credit to their coaches, their families, and the the students at Carrick High School.

These are the kids with whom we share excitement with because of the good things that they do. So, at this time I would like to ask the Head Coach Nick Kunich to step up and commend this group.

Coach Kunich:

I'd like to thank Council for

inviting us down, this is a great opportunity, not just for me but also for the girls. To work with a group of young ladies of this caliber, we ended up 25 and 2, most teams would like to win 20 games, they don't realize what they have accomplished winning 25 games and getting an opportunity to play the State runner up.

This is the best Carrick team that I have been affiliated with, in the five years I have been with the girls. No only do they work hard on the court, they have many accomplishments. Academically we probably have a grade point average of 3.5 for every girl on the team. That's important, because there going no where with basketball unless they get the academics in. But that have accomplished that, and a 25 and 2 record.

I appreciate and thank you for inviting us down, the girls deserve a round of applause. They did a great job.

Mr. Cusick:

I would like to ask the Captain to come up and say a few words.

Captain:

We just want to say this year was worth waiting for and we are glad we finally won the City Championship. I think we worked hard and we deserved it.

Mr. Cusick:

Carrick won two championship's this year, the other is the Boy's Basketball team. Before we do that, I also want to let you know that you are represented by two Councilman. I have my friend Gene

Ricciardi here who would like to say a few words.

Mr. Ricciardi:

I just want to congratulate the students here, because they have excelled both in academics and on the court. Thank all of you.

Mr. Cusick:

NO. 345 Whereas, Carrick High School is known for striving for excellence in academics and athletics; and,

Whereas, the Carrick Raiders Boy's Basketball team were the reigning 1993 Pittsburgh City League Class Quad A Champions; and,

Whereas, on Monday, March 5, 1994 the Carrick Raiders played the Oliver High School Bears in the Pittsburgh City League championship title game through determination and a good inside game the Raiders were able to defeat the Oliver Bears by a score of 55 to 53; and,

Whereas, the Carrick Raiders are once again the 1994 Class Quad A Pittsburgh City League Boy's Basketball Champions due to the superior efforts of Head Coach Chuck Vitale, Assistant Walt Milinski, Managers; Emily Bourdes and Kate Mavracic and especially the players: Rick Bigelow, Tom Fuchs, Rick Gordon, Larry Harris, Chris Kramer, Lee McGinnis, Mohammed Mims, Chaaka Moore, Dan Reiser, Vernon Vereen, Mark Weir, Mar White, Ron Whitehead, Nate Williams, Roch Furguiele, Kevin Hamilton, Ryan Johnston, Mike Kaplan, Nick Macurak, Scott Rattay, Scott Schultz, John Schreiner, Ken Wood, Stephen Weis.

Now, therefore, be it resolved that the Council of the City of Pittsburgh hereby commends the Carrick Raiders Boy's Basketball team for their achievement in winning the 1994 Class Quad A Pittsburgh City League Boy's Basketball championship and going on to the State Championships.

SPONSORED BY COUNCILMAN JOE CUSICK

The resolution was approved and seconded.

Which motion prevailed.

I would again, like to congratulate the Basketball Team and their coach for their hard work.

Mr. Ricciardi:

Again, I would like to commend these people for their fine work on the court and in the school. Let me state that you cannot have a game without the score keeper. The name was not mentioned but it's Jennifer Allen who kept score.

Principal Jerry Minsinger:

Thank you Mr. Cusick. I'd like to explain to you it's a lot harder playing these kids on the court that in pronouncing their names. This team was somewhat different that the girls team. The girls team sort of had it together and consistently throughout the year just played on a certain level. This particular team dug a hole for themselves, but we're especially proud that they crawled out of it. Not only out of it but won the City Championship, after over coming a lot of adversity during the season.

I'd like to think my first year at Carrick is the reason this happened, but that's not the case. This was building over time, in fact this was the second year that the boy's have won the City Championship, and the first two years to be done at Carrick High School. We are extremely proud of their performance on the court, as well as in the classroom and the school.

I would like to ask someone who does a lot of work in the background, and prepares a lot, and doesn't get a lot of credit to speak before the coach. That would be Mrs. Sarah Sumpter.

Mrs. Sumpter:

I would like to say that I am equally proud of both the girls and boys teams. Especially because they have that perseverance and they don't give up no matter when adversity comes into play. Also, as several of the coaches and others have mentioned, they are very good academically and that is first and foremost on my agenda.

Thank you Joe Cusick for the invitation and also thank you Councilmembers for giving us recognition, because today so many people think that teen-agers are all going bad. We are here to let you know that they aren't..

Mr. Cusick:

I would also like to recognize Mrs. Sumpter as being the educator of the year for the month of February.

Coach Walt Milinski:

I would like to thank City

Council for having us here today. We would like to make a presentation to Councilman Cusick and Councilman Ricciardi from our school. The members of the teams are getting these shirts and we would like to present them with one, Carrick High School on the front and on the back, 1993-1994 Back to Back City Champs.

We have a fine group of athletes here, they work very hard, and we are very proud of them.

Captain:

I would like to thank you all for letting us come down here for the second time in a row, and I really don't have nothing to say. Thanks to the councilman, all my teammates and everyone from my neighborhood. Thanks also to those at the school who supported us through rough times, and, Mr. Milinski for the full court press, and all the City League teams who thought we couldn't do it again.

Mr. Hertzberg for Mr. Darkins:

NO. 346 WHEREAS, on April 2, 1994 Renaissance Too Magazine will host Black Extravaganza, a gala salute to honor African Americans who have had an impact on the quality of life for all Pittsburghers;and

WHEREAS, this year the Black Extravaganza will include a tribute to Mal Goode and a memorial to Hazel Garland. With the awards presented by media personalities to 14 deserving honorees; and

WHEREAS, the stellar line-up of honorees are:

John Brown
Mary Walker

Dr. Oswald Nickens
Mary Lee Truss
Catherine Gardner
Ora Sims Watson
Marjorie Franklin
Sarah B. Campbell
Reverend Samuel George
The Honorable Jacob Williams
Reverend Jimmy Joe Robinson
Elder O.T. Tilman
Milton Washington
Byrd R. Brown

NOW, THEREFORE, BE IT RESOLVED
THAT THE COUNCIL OF THE CITY OF
PITTSBURGH recognizes the 1994
Renaissance Too Publication
Trailblazer Awardees and
Renaissance Too Magazine for their
service to the African American
community and hereby proclaims
April 2, 1994 as TRAILBLAZERS DAY
in the City of Pittsburgh.

SPONSORED BY COUNCILMAN DUANE A.
DARKINS

The resolution was approved and
seconded.

Which motion prevailed.

Mr. O'Connor:

NO. 347 WHEREAS, all people
of good will recognize the
historical tradition of ethical
values and principles which are
the basis of civilized society and
upon which our great city and this
nation were founded; and,

WHEREAS, these ethical values
and principles have been the
cornerstone of society since the
dawn of civilization. originally
known as the Seven Noahide Laws;
and,

WHEREAS, the people of the
world and citizens of this nation
must never lose sight of their
responsibility to transmit these

historical ethical values to the
generations of the future; and,

WHEREAS, the Lubavitch
movement has fostered and promoted
these ethical values and
principles, particularly the
pillars of education and charity,
throughout the world; and,

WHEREAS, Rabbi Menachem Mendel
Schneerson, the leader of the
Lubavitch movement, is respected
and revered worldwide for his work
in education and charity, and will
begin his ninety second year on
March 23, 1994; and,

WHEREAS, Rabbi Schneerson's
dedication has been mirrored by
that of his emissaries in
Pittsburgh: Dean of Yeshiva
School, Rabbi Yisroel Rosenfeld
and President of Yeshiva School,
Bill Rudolph, who have worked
diligently to develop educational
and social programs that benefit
the citizens of Pittsburgh, and
promote the values and principles
espoused by the Lubavitch
movement.

NOW, THEREFORE, BE IT
RESOLVED, that the Council of the
City of Pittsburgh does hereby
commend the commitment and
tireless efforts of Rabbi
Schneerson, Rabbi Rosenfeld, and
Bill Rudolph, and joins the world
in prayer for the speedy recovery
of Rabbi Schneerson.

BE IT FURTHER RESOLVED, that
the Council of the City of
Pittsburgh does hereby declare
March 23, 1994 to be Education Day
in the City of Pittsburgh, and
calls upon the people of
Pittsburgh to observe this day
with appropriate ceremonies and
activities, and an increased
commitment to education.

SPONSORED BY COUNCILMAN BOB O'CONNOR

The resolution was approved and seconded.

Which motion prevailed.

Mr. Cohen:

No papers this morning Mr. President.

Mr. Cusick:

No papers Mr. President.

Mr. Hertzberg for Mr. Darkins.

No.348 Resolution granting unto Property Ventures, Ltd. with an address at 330 Grant Street, Pittsburgh, Pennsylvania 15219, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a total of 12 trees in a portion of the sidewalk area along Seventh Avenue and Smithfield Street in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Mr. Hertzberg:

No papers Mr. President.

Mr. O'Connor presents.

No.349 Resolution authorizing the issuance of a warrant in favor of the Pennsylvania Historical and Museum Commission in the amount of Twenty Thousand Dollars (\$20,000.00). in repayment for unspent funds in connection with a grant to Phipps Conservatory.

Which was read and referred to the Committee on Finance.

Mr. Onorato presented

No.350 Resolution authorizing the Mayor and the City Solicitor to enter into an Agreement or Agreements for the hiring of counsel to assist in the representation of the City of Pittsburgh for outside legal counsel at a cost not to exceed \$125,000.00 (One Hundred Twenty-Five Thousand Dollars) chargeable to and payable from Code Account 1075, Index Code 107508, Miscellaneous Services, Department of Law.

Also,

No.351 Resolution repealing Resolution No. 1379, Item B, effective December 14, 1993, which authorized the sale of a two sty. brk. hse. situated on a lot 24.80' x 110' located at 7453 Hermitage Street, 13th Ward, designated as Block 174 G, Lot 249, to Alma Chapman, for the sum of \$1,500.00.

Also,

No. 352 Resolution repealing Resolution No. 909, Item A, effective August 2, 1993, which authorized the sale of 1-2 sty. brk. hse. situated on a lot 19.80' x 85' x 19.81', located at 7926 Inglenook Street, 13th Ward, designated as Block 175 D, Lot 163 to Rickey C. Robinson, for the sum of \$3,500.00.

Also,

No. 353 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1994.

Also,

No. 354 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

The Chair presents:

An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Districts and District Regulations, Chapters 923, 925, 951 - 971, and Article IV, Planned Development Districts, Chapters 973, 976, 977 and 978 to allow Riverboat Gambling as a conditional use if proper legislative authorization is enacted by the Pennsylvania Legislature---(SPONSORED BY MR. FERLO & MR. RICCIARDI)

Which was read and referred to the Committee on Planning, Housing & Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Also,

No. 356 An Ordinance repealing the Pittsburgh Code, Title One - Administrative, Article XII - Personnel, Chapter 191 - Retirement and Severance Pay, Section 191.06 - Compulsory Retirement in accordance with

Federal Law under the Age Discrimination in Employment Act, 29 USCS section 623.---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Also,

No. 357 Resolution authorizing and directing the Solicitor to file an action in U.S. District Court, or alternatively in the Court of Common Pleas, requesting the issuance of a Writ of Mandamus directing the convening of a Grand Jury to investigate and prosecute gang activities and gang members in the City of Pittsburgh.---(SPONSORED BY MR. FERLO & MR. CUSICK)

Which was read and referred to the Committee on Public Safety.

Also,

No. 358 Communication from Tom Flaherty, City Controller, submitting a Performance Audit of Tuition Reimbursement Program, Dept. of Personnel, dated March 1994.

The Chair:

Thank you Mrs. Johnson, on the two bills, one is the age discrimination bill issue, amending the City Code to come into compliance with the Federal Law. I would ask the City Clerk to communicate to the City Solicitor and seek a legal opinion, prior to the bill coming a week from now.

On the final bill we need a motion to receive and file the report from the Controller.

Which was read, received and filed.

The Chair:

I would think it appropriate to have either a post agenda meeting or some type of a hearing to address the concerns of the Tuition Reimbursement Program that the Controller has raised. I would hope to do that in the next few weeks.

At this time I would move to the items of unfinished business, the Chair specifically would present, the Clerk could read the three appointments that we have pending. These are the three individuals that we interviewed last week, in relation to the appointments to the Zoning Board of Adjustment.

Bill No. 335 A Resolution appointing Jesse W. Fife, Jr. as a member of the Zoning Board of Adjustment, for a term to expire Dec., 31, 1994.

Also,

Bill No. 336 A Resolution appointing Clifford B. Levine as a member of the Zoning Board of Adjustment, for a term to expire Dec., 31, 1994.

Also,

Bill No. 337 A Resolution appointing Regis D. Murring as a member of the Zoning Board of Adjustment, for a term to expire Dec., 31, 1996.

You have heard the reading of the Resolutions on the appointments. Is there any discussion.

Mr. Cohen:

With apologies to the stenographer, I would ask that the entire transcript, of the confirmation hearings of these Zoning Board nominees, be brought forward and made part of our record.

(SEE TRANSCRIPT AT END OF HEARING)

The Chair:

The ayes and noes were taken agreeable to law, and were:

AYES

Mr. Cohen
Mr. Cusick
Mr. Mr. Hertzberg
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES 7

NOES 0

And a majority of the votes of Council being in the affirmative, the bills passed finally.

The nominees are confirmed, we wish to congratulate them, they have a lot of hard work to do. All of our colleagues stand ready, willing and able to assist them with their activities.

REPORTS OF COMMITTEES

Mr. Onorato presented

Bill No. 358

Report of the Committee on Finance for March 23, 1994 transmitting sundry resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 287

A Resolution entitled, "Resolution urging the Board of Commissioners of Allegheny County to adopt an ordinance creating the Allegheny Regional Asset District and levying the additional one percent (1%) Sales and Use Tax in Allegheny County pursuant to Act 77 of 1993 to fund the Regional Assets and provide financial relief for municipalities and citizens of Allegheny County."---SPONSORED BY MR. FERLO)

Also,

Bill No. 302

A Resolution entitled, "Resolution providing for the issuance of a \$870.00 warrant in favor of Anna L. Settnek in settlement of claim for sidewalk damage, charging the same to Code Account No. 46, Judgments."

Also,

Bill No. 303

A Resolution entitled, "Resolution amending Resolution No. 998, Item E, effective October 9, 1992 which authorized the sale of a vacant lot 129.34 x 118.54 x 133.17, Travella Blvd., 12th Ward, Block 173 C Lot 327, to Elizabeth P. Amoah, for the sum of \$300.00."

Also,

Bill No. 305

A Resolution entitled, "Resolution authorizing and directing the Solicitor to file and appeal with the Commonwealth Court in the case involving Kosmos Cement Company and the Allegheny County Health Department." --- (A S AMENDED)---(SPONSORED BY MR. FERLO)

Also,

Bill No. 283

A Resolution entitled, "Resolution approving conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984 to A.H.I. Development Inc."

Also,

Bill No. 314

A Resolution entitled, "Resolution transferring the amount of Six Hundred Fifty Four Dollars and Fifty Three Cents (\$654.53) from Code Account 1545, Street Lighting, Index Code 154500, Bureau of Administration to Code Account LFT, Liquid Fuels Tax Trust Fund, Index Code 260406, Bureau of Operations, both accounts within the Department of Public Works."

Which were read and referred to the Committee on Finance.

The Chair:

On Bill 287 in relation to the creation of the Regional Asset District, this would be a final conformation vote of this Council authorizing the creation of the Assets District, with the hoped for financial benefit. I would like to have the legal opinion from the Solicitor attached to the minutes, making it clear that the resolution is properly worded. I would also note that the resolution is within the sixty day required time period.

On Bill 305 in relation to the Kosmos Cement Co., I would like to indicate that my colleagues are in

receipt of a letter from Mayor Bricmont, the Mayor of the Borough of Avalon. I would like to respectfully ask that since this is an official communication from a neighboring municipality it be entered into the record.
(SEE LETTER AT END OF HEARING)

It's an indication of his concern and support in his role as an elected official and Mayor of Avalon, in support of the Council action and in support of protecting the appeal process. Speaking out very clearly, that as Mayor he intends to file a motion in Commonwealth Court for permission to participate as an Amicus Curiae, friend of the court basically. In support of the position advanced by the City of Pittsburgh and the appeal. As Mayor he indicates that he will request the Council of Avalon Borough pass a Resolution supporting the City of Pittsburgh's position.

As further evidence of the Borough's interest in this matter, we have contacted other municipalities who are concerned and I hope subsequently to this week's activities we will receive additional letters of support.

Mr. Onorato:

On the same bill, my office is also in the process of dealing with all the local municipalities. My district, the North Side to Brighton Heights area, borders Bellevue, which borders Avalon it's just another community along the Ohio River. It is my belief that we are being squeezed between ALCOSAN Plant and now Kosmos and other industrial plants on the island.

I feel very strongly against

the Kosmos burning because of the potential health hazard it proposes. I think that a lot of these municipalities do not have the resources, but they are taking votes and having resolutions passed showing that they do not approve of this.

I think it is very important to notice, that even the municipality of Neville which houses the plant, voted against it. There's a municipality like many other municipalities that are struggling to bring in business. So this isn't an anti business move, this is a legitimate health concern, both from the people of the City of Pittsburgh and the community that houses this plant. I thank my colleagues for supporting us on this motion.

The Chair:

I do point out Mayor Bricmont's two comments here, where he states very clearly, and I would like to read this. "I wish I were able to voice support or opposition to the proposed test burn at Kosmos, however, myself and my constituents have been denied the public forum to pose questions and concerns and receive responses to the matters of the test burn. Perhaps the fears of my constituents are unjustified, but we have had no opportunity to assess the risk. Finally, I submit that it would create a dangerous precedent to allow the County Health Department to circumvent its own regulations requiring a public forum prior to approval of a test burn or similar industrial conduct."

Any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law. and were:

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES: 8 NOES: 0

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Hertzberg for Mr. Darkins presents

Bill No. 359

Report of the Committee on Public Works for March 23, 1993 transmitting sundry resolutions to Council.

Which was read. received and filed.

Also, with an affirmative recommendation.

Bill No. 273 A Resolution entitled, "Resolution granting unto Peoples Natural Gas Company, 1201 Pitt Street, Pittsburgh, Pennsylvania 15221, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a vault on a portion of the sidewalk at the intersection of Dornbush Street and Bennett Street in the 13th Ward, 9th Council District of the City of Pittsburgh."

Also,

Bill No. 300 A Resolution

entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for flexible beam guardrails at various locations within the City of Pittsburgh, at a cost not to exceed Fifty Thousand Dollars (\$50,000.00), chargeable to and payable from Code Account 3-01-30-0020-94, Flexible Beam Guardrails, Index Code 875351."

Also,

Bill No. 301

A Resolution entitled, "Resolution providing for an Agreement with the Allegheny County Sanitary Authority, granting ALCOSAN an easement to construct a sewer interceptor on City owned property designated as Block No. 122-6, Lot 50 in the 11th and 12th Wards, 9th Council District of the City of Pittsburgh."

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES

Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES: 7 NOES: 0

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Smith presents

Bill No. 360

Report of the Committee on Planning, Housing & Development for March 29, 1994 transmitting one Ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill NO. 110

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6., by changing from "R2" Two-Family Residence District to "R3" Multiple-Family Residence District all that certain property having 198 fee of frontage along the northerly side of Voskamp Street between 1154 Voskamp Street (24-F-280) and 1212 Voskamp Street (24-G-5), 24th Ward."---(SPONSORED BY MR. ONORATO)

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeable to law. and were:

AYES

Mr. Cohen
Mr. Cusick
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, President

AYES: 8

NOES: 0

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

A Resolution appointing Rowan Miranda as a member of the Water and Sewer Authority for a term to expire December 31, 1995.

What is the pleasure of the body, this is a confirmation that is required by City Council. Obviously the Administration has a number of staff on the Board of the Water and Sewer Authority. Traditionally we do interview applicants, it's up to the body.

Mr. Smith:

If I am not mistaken, there is someone who sits from the Finance Department, will he be filling that seat.

The Chair:

No, this is an additional staff person on the board.

Mr. Hertzberg:

I've no need to interview Mr. Miranda. I defer to Mr. Ricciardi.

Mr. Ricciardi:

Well obviously I would respect the will of the body if they wish to interview Rowan. I'm in full support of Rowan, in the past in order to save on money the Pittsburgh Water and Sewer Authority let go one of budget

directors, so we are definitely in need of strong financial expertise on the board. This is something that Dr. Miranda would bring to our Pittsburgh Water and Sewer Authority.

I would like to move to approve Mr. Rowan Miranda to the Board.

The motion was moved and seconded.

Which motion prevailed.

The Chair:

Dr. Miranda is confirmed as a new member of the Board of the Pittsburgh Water and Sewer Authority.

Mr. Hertzberg:

I had the occasion to communicate with Lou Gaetano of Pittsburgh Sports Federation yesterday. I was going to ask for his participation in the Be A Sport Program this summer. I talked to him about the story that appeared in the Post Gazette over the weekend, about his resignation being requested by the Mayor.

He confirmed to me that he was asked to resign from the Pittsburgh Sports Federation, although as of yesterday he had not actually done that. I was shocked to hear that. I support Lou Gaetano 100% as the Director of the Pittsburgh Sports Federation, and I want to make my feelings known.

He has taken that operation and made it what it is today, which is a first class operation, a big benefit to the City of Pittsburgh and the taxpayers. I am hopeful that the Mayor will

re-think this request to Mr. Gaetano.

Mr. Ricciardi:

I believe Councilman Hertzberg raises some very good points. When this body decided to fund the Pittsburgh Sports Federation, at a tune, I believe of Two Hundred Thousand Dollars (200,000.00), we did it for two reasons. We believed that they were very successful, and we believed in their leadership, and that was Mr. Lou Gaetano, who I also believed in.

At this time if it's appropriate, I would like to make a motion, that you immediately convene a meeting with Mayor Murphy and his staff concerning the issue of Lou Gaetano. All I know is what I have read in the newspaper, however, I have received no information from the Mayor's office that they did ask for his resignation.

So again, at this time I would like to make the motion, that our President convenes a meeting with the appropriate members of Council and Mayor Murphy to discuss this issue.

The motion was moved and seconded.

Mr. Cohen:

Just to support the motion, and say that my experience with Mr. Lou Gaetano has been an excellent one. Both when he was Director of Public Works and when he's over at the Pittsburgh Sports & Festival Federation. I think he's done a terrific job and I think that he was there at the founding of this organization, when City Council funded it. I

think we do deserve an explanation as to why he has been terminated.

The Chair:

Obviously I am very disappointed and disheartened by the action. I think it is supposed to be effective April 15th, if I understand the article. I have not spoken to Mr. Gaetano directly since this announcement over the weekend. But it is very disappointing.

I believe that Council in voting to approve funding for the Sports & Festival Federation, as Mr. Ricciardi stated clearly, had a lot to do with the staff and Lou Gaetano particular. No to mention the least of which is the NCAA activity and a host of other sports and festival activities that we believe he has brought leadership to these events.

I will look forward to seeing if we can get this meeting set up. All colleagues will be invited, and I guess we should try to do that as quickly as possible.

Mr. Cusick:

I also, would like to show my support for Mr. Gaetano. I think Mr. Gaetano has dedicated a great deal of his life and time to the City of Pittsburgh. He has done a fine job at the Sports Federation. I would hope that the Mayor would reconsider his position and be a good sport.

Which motion prevailed.

Mr. Cohen:

I would like to give an update and ask for a Council vote on a motion dealing with the Cable

Television regulations. As you know and as my colleagues know the Federal Communications Commission announced recently that it would be lowering the bench marks that are used to determine rates, by 7%. At the same time they did not issue regulations that went along with that announcement. That put the City of Pittsburgh and other cities in a difficult position. We had to have a rate regulation completed by a certain date, but we didn't have the regulations from the Federal Government to be able to pursue that regulation.

We will suspend our rate proceedings until the Federal Communication Commission hands down it's new rate regulations. That will prevent us from having to go through it twice, and will save taxpayers money. Because if we have two evidential hearings, that of course is going to cost extra money, if in return TCI will agree not to implement any new rates until that review is completed. Mr. Wormser has been negotiating with TCI really for the last two weeks on this. I am happy to announce that just within the last hour, they finally got a signed letter.

What it essential says is this, The City of Pittsburgh will wait until the FCC hands down its regulations, before it proceeds with the rate review. TCI on the other hand agrees it will not implement any new rates until that review is completed.

I did want to make sure that all of City Council agreed with this, so in paragraph five it says, this letter shall take effect upon the approval of Pittsburgh City Council, and it is signed by Mr. David Wormser, the Consultant for the City of

Pittsburgh. and Mr. Shawn McGorry who is the General Manager of TCI Pennsylvania.

At this time I would like to have City Council approve this, because I do think it is in the best interest of the City of Pittsburgh Taxpayers. Also in the best interest of the rate payers of cable television.

Mr. Smith seconded.

The Chair:

Again. I want to thank Councilman Cohen for his dogged leadership in the last few weeks in particular trying to negotiate with TCI. I whole heartily support this motion. Obviously the new FCC ruling changes the bench mark calculations, hopefully it will be to our advantage when we review the rates.

Accordingly I think we have to move quickly in support of this resolution. Councilman, you'll apprise the Chair of appropriate meeting times for a joint hearings with the Cable Communications Advisory Committee, and this legislative body.

Which motion prevailed.

Mr. Onorato:

I would like to clarify a comment that was made last Wednesday by an individual, by the name of. Mr. Vincent Irene. Unfortunately I had to leave Council for an issue in my district, and this individual who happens to work at a shelter on the North Side, came in here and made some accusations. He was kidding around saying it was all in jest, which I wouldn't have brought up today, except he's

carrying it a little further than that. He specifically lied to this body and to the City of Pittsburgh. I just want to clarify the point.

He passed around a piece of literature, and he said probably five times, because I watched the tape, that he called my office regarding the pan handler legislation and that we refused to call him back. Well I checked the records, and Dorie Lang from my office did call him back to give him the message to please send what ever he wanted to talk about it writing and we would set up a meeting. We know we did that because he has a unique machine with a song on it. After the hearing on Wednesday, my staff went over to him and said isn't this your message? Of course with the camera off, he admitted, oh yea that's right you did call, I forgot about that.

I also want to make clear, when I was talking about legislation, it had to do with anti aggressive pan handling, and the other part had to do with informational cards, that go out to pan handlers to let them know what does exist and what we fund. To date no legislation has been introduced, because two months ago when the issue came up, and it was in the media, I got a call from Mr. Pappas from the County, he had some concerns and I met with him. I also met with a John Michael and a Dan Robinson who came to me, they are advocates for the homeless. They had some very good points, so we have been working on some changes and we held up. But, once again that wasn't mentioned in this individuals verbal attacks.

I just think it is another

example where individuals feel that they can just show up in front of a microphone on T.V. and in the public and just have verbal assaults on anyone and not worry about the consequences. This individual also sent out fliers and really scared a lot of shelters.

I have been receiving a lot of calls thinking that this was legitimate, both with fund raising money which concerns me. I don't know who has been receiving these dollars. But some of these people really believe that there is a trust fund out there, and there asking where to send money. I sure hope this individual isn't collecting money on my behalf, using my name. If he is will prosecute if we have to.

This is ridiculous and very dangerous the precedent this individual set last week. If he thinks this is cute and some kind of joke, well I resent it. Especially since he is using my name to try to raise money. I wasn't going to bring it up today except the unusual large amount of phone calls that have been coming in, by good people running a lot of good shelters that are confused on the issue.

I am going to send a letter out to one of the local newspapers, local rag papers, the story happened to come out of, those weekly newsletters that actually covered the story and didn't bother to get my comments on it.

I did want to clarify that my office did respond and we are working with advocates for the homeless, and this gentleman is off base.

Mr. Smith:

Very quickly, this Council had asked the Finance Department and the Personnel Department last December or November to clarify a policy for part time workers. We are now, and I understand it's been a change of Administration, but we are now three months into the new year. There is still not a clarification or standardization of policy for part time employees, and I trust that this administration would be a lot more lenient as opposed to the last one that demanded five days in a row off. This is very difficult when some one does not get paid for one fourth or 25% of your salary for that month. What we are looking for is for this administration to make a decision that would allow individuals to miss ten days worth of work during their employment. But that they would not be demanded to be a full week at any given moment.

The Chair:

Mr. Smith I think it would be appropriate given the change of administration to re introduce an appropriate motion seeking the requested information.

Mr. Smith:

I move that we write to the administration and that they come back with a standardized policy for part time employees regarding the requirement of taking off two weeks vacation during a year. We hope that that policy would come back and not be five days in a row. And, that people would be able to take one day here and one day there during the course of their employment.

Mr. Ricciardi seconded.

Which motion prevailed.

Mr. Ferlo moved to excuse the
absent member.

Mr. Smith seconded.

Which motion prevailed.

Mr. Ferlo moved to approve the
minutes

Mr. Smith seconded.

Which motion prevailed.

And on the motion of Mr. Ferlo

Council adjourned.

(BEGINNING - COUNCIL'S COMMENTS ON INTERVIEWS WITH APPOINTEES,
WEDNESDAY, MARCH 23, 1994)

The Chair:

Before we start with our regular agenda, Council will proceed with its Confirmation Hearings, and I am just going to follow the pre-agenda list in front of us, unless there are any objections from the body here? We will start with calling Marva Harris to the table, and she has been nominated to be a member of the Housing Authority. This is Council's time to ask any questions of any nominee and for the nominee to address Council.

Ms. Harris, have a seat, please. What we normally do here is give you a few minutes for an opening comment, if you would like, and then we will turn it over for questions. Everyone should have resumes, there is a package here, let's make sure we have it. Does everyone have the package?

Ms. Harris, good morning.

Ms. Harris:

Marva Harris
One PNC Plaza
Pittsburgh, PA 15265

Good morning.

The Chair:

Would you like to say a few words?

Ms. Harris:

Do I worry about this microphone?

The Chair:

You are okay, just speak into the mike.

Ms. Harris:

Frankly, I was not prepared to make a statement, but I guess generally what you would like to know is maybe a little elaboration on my background.

I work for PNC Bank, where I manage the bank's lending to low and moderate income communities. We have an 11-county market throughout Western Pennsylvania and I have the responsibility for that area. I am a native Pittsburgher, I currently live in the City. I am prepared to answer your questions.

The Chair:

Well, thank you, we will go around the table. Councilman Cusick, do you have any questions?

Mr. Cusick:

Only on your residency and that question was answered, because of -- you are using a business address as a mailing address, more or less?

Ms. Harris:

Right.

Mr. Cusick:

Very good.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Do you have any ideas or any view on ownership by Housing Authority current tenants? I mean I --

Ms. Harris:

Let me give you a historical perspective on that one. As I said, I grew up in the City. I used to ride a bus to Frick School that went through Burrows and Wadsworth and around Robinson Court and on down. I have watched some very significant changes in terms of what is happening in public housing. Many of my friends who lived there in those days went on to college and professional careers and for their families it was transitional housing. It appears at this point that many families find themselves locked in, for a host of different reasons, not assigning blame or pointing any fingers there.

In my role at the bank one of the things that I -- where I played a critical role was in helping low and moderate income families become homeowners and I think that option should be open to residents of public housing as it is to anyone else. Oftentimes the idea of home ownership evolves because you have seen other people do it, you realize that it is possible for you and you attempt to follow suit. I do not think public housing residents perhaps have the opportunity to see that happening enough to realize that it is an option for them but certainly it should be.

I do not know if that answers your question or not.

Mr. Hertzberg:

Yes, that is the direction, because I have always felt that it is certainly worth a try having more ownership in public housing, I think it is part of the idea of pride in your particular place if you would own it, and I think the rents that are being paid, if you would look at a 30-year mortgage, I do not know that -- and the value of these places, I do not know that it is terribly different.

Ms. Harris:

Well, in many cases the rent, it probably would exceed what a mortgage payment would be, where a family is then acquiring an egg to nest, yes.

Mr. Hertzberg:

Thank you.

The Chair:

Councilman Ricciardi, we were going around the table, and since you have joined, if you have any questions, we can start from the beginning?

Mr. Ricciardi:

Thank you.

The Chair:

Councilman Cohen.

Mr. Cohen:

I just want to congratulate you on your nomination, wish you the best of luck.

The Chair:

Councilman Darkins.

Mr. Darkins:

Well, Marva, we are long lifetime friends and as I sat in the Heritage place yesterday and watched Council and then when they brought your name up, I had to come. I got a pass today so I could come down here, and I want it known publicly, there is nothing personally that I have against you, you have done so much in the City of Pittsburgh but I cannot understand why Tom Murphy has thrown you to the pits, I cannot understand it, sweetheart. I cannot understand, with the Stadium Authority, a

woman of your background, a woman that has made such a great contribution to the City of Pittsburgh and our President, our President of Council, said yesterday that -- and along with Christopher Smith, I was watching you guys -- said yesterday that you are not the person for that appointment, they said that we should have another Mrs. Contrail or one of those type of people from Housing, we need someone like Evelyn Patterson, that knows about it, not that you have not lived in that area, not that you do not know about that, but I just think, with all your expertise, you are one of our outstanding African-American women. I do not know why Tom Murphy threw you to the pits, I do not understand it, I do not understand it. We could put you on the Stadium Authority, where they do not have nothing for our Black folks --

The Chair:

Excuse me, excuse me, Councilman --

Mr. Darkins:

I am saying what I want to say.

The Chair:

I am sorry, but she is not appointed to the Stadium Authority, this is --

Mr. Darkins:

I know that, I am talking about the Housing Authority.

The Chair:

Okay. I am sorry.

Mr. Darkins:

Let me get through now.

The Chair:

You have the floor.

Mr. Darkins:

And, Marva, you are a beautiful person, honey, so I want you to know my objectives. I think that you can serve us in government in this City in a better position than in Housing Authority. The Housing Authority needs a lot help. My co-sponsor, Jimmy Ferlo, Gene Ricciardi, you are looking at the guy that takes those Senior Citizens to Harrisburg, you are looking at the man, on this coming Friday, a week from now, as

sick as I am, I am going to bring those people, a thousand Senior Citizens, to 550 North Homewood Avenue, I am going to feed them for Easter, get them ready. You are looking at the man that takes care of that crowd, not only Senior Citizens, not only Senior Citizens but Mr. Ferlo's people from Garfield, that High Rise group up there. I just think they could have placed you in a better position. I hope by the time -- if they give me another pass I am going to be here Tuesday. I am going to send a letter to the Mayor and tell him I am sending your name back and I want him to re-appoint you to another board. I just do not think -- yes, you helped us, you helped us, honey. Marva, you understand where I am coming from, do you understand Duane Darkins now? You helped us. PNC would not be what it was if it had not been for you, sweetheart. You helped us, you helped us get homes, you helped us with mortgaging, you helped us, but I do not think they need you there on that Housing Authority Board, they need one of those Senior Citizens and that is what they are failing to do, to appoint -- to re-appoint. We had this fight with Sophie, I want to talk about it. I had this fight with Sophie because she was going to move those other women off that board, and she sent James Sims to their house to see them and I told him to go home, and I went and told Sophie, don't do that, I said, you haven't seen an outrage in this City, and I know the real feelings.

So, I just want you to know I am not against you. You and your husband are fine people, your brother, the whole family, but I am opposed to the appointment because you should be at another level, that is sending you to the pig pen and I do not want you there.

The Chair:

Thank you, Councilman. Councilman Smith.

Mr. Smith:

Yes. Ms. Harris, what are your opinions on tenant management?

Ms. Harris:

Well, I guess the one example of tenant management that I have seen in the City has been actually in Section 8 Housing on the North Side. I have been working with the NTR organization since probably 1988, and that is where I guess I have seen tenant management realized to its full potential in terms of watching people take charge of their own destiny, watching the empowerment that occurred there and so forth.

I have not honestly, Mr. Smith, seen evidence of a lot of tenant management activity within public housing, of course, I am limited to what I read in the media, for the most part there.

Mr. Smith:

Well, I guess what my concern is, is that are you open minded enough that if the concept was tried, would you be supportive of tenant management? All I am looking for -- I do not need to know everybody's point by point opinion, I need to know if you are open minded enough to give an opportunity to a group of people who have never had the opportunity. And, yes, it is scary, yes, it is experimental. Would you be as a board member open minded to have tenant management based on the whole area if we could do the training and operate a program, would you be supportive?

Ms. Harris:

Well, let me answer you this way. I am sitting here, first, as a minority, and secondly, as a woman, I think anybody sitting in a seat where they have any kind of authority would be very presumptuous to think that you know better what other people need than they know for themselves, in many cases. The whole concept of empowerment and working things from a grass roots level is about the only thing that is going to save our society, and that includes public housing.

Mr. Smith:

Well, you have answered my question. Thank you.

The next thing is, you have been packaging loans and dealing with housing as a profession for low, moderate and so forth, what I do not see in here, and I am very disappointed is that -- the finer point is that you have actually worked with community groups, and I think that it is very important that people understand your grass roots level, you may come from PNC but you have been out here on the front lines, and may I say, volunteering your time.

So, I have no more questions for you, and I appreciate you coming down for us to ask our questions.

The Chair:

Councilman Ferlo.

Mr. Ferlo:

Good morning, Mr. Chairman, members of Council. First of all to my colleague, Mr. Darkins, welcome back, I know you are going through tremendous struggle right now and I know all of us here wish you speedy recovery.

I want to try to refrain and rephrase some of the issues that have been raised here. I think there is a little bit of a

debate going on within the public housing community, especially with Metropolitan Tenants Organization leadership on the issue and their appeal to the Mayor on the issue of the overall appointments, and I think there was a request for a representative of MTO representing the tenant council activities within the public housing communities for consideration to the board, that is an issue between the neighborhood organizations and Mayor Murphy. This Council is being asked to review and give consideration and ultimately approve for appointments that we have right now, Mr. Rudolph, who will not be able to be here today but hopefully he will be here next week, and yourself, Marva Harris, obviously needs no introduction, Candice Henson. All of these appointments, as far as I am concerned, being a past board member of the Housing Authority, would be tremendous assets to what I hope will be setting some new directions at the Housing Authority.

But, in particular, yourself, Marva, I have known you for many years and, quite frankly, your work and your activities in the community, not only professionally within the area of housing, within the area of finance and within the area of management and business but equally important your stature in the community working with non-profit organizations and working with community development organizations, specifically in the area of housing, to me would be a tremendous asset to the board as a board that needs to begin to grapple with some long range policy changes that have to be dealt with at the Housing Authority.

So, I want to applaud you personally for -- if anything I want to say to you, thank you for agreeing to accept the appointment because I know how busy you are, I know you juggle a lot of priorities, but I hope and I recognize in your acceptance of this appointment that you obviously have now made the decision to re-arrange your commitments and schedules and I know with you coming on the board that with that comes a tremendous commitment on your part to really apply yourself and give them the kind of leadership that I know you have to give to this important agency.

So, again, I may want to clarify a little bit of some of the earlier comments, the issue around a representative of MTO, and/or tenant councils, to me is a separate issue and this Council being asked to review and hopefully approve for tremendous assets. And I am sitting as a member to the Housing Authority, I just want to say, thank you and I know given your knowledge of the housing community and public housing, in particular, I think yourself and the others that will come to the table today will really be an asset to the Authority at this time.

So, if anything I want to say, thank you. I do not really have any questions because I know your background and I know you

are going to dig in and really be objective and I know some of the philosophical commitment you have about tenant empowerment and about individuals within the community making a better quality of life for themselves, and that is where I think we need to focus the attention and make the Housing Authority something that it is not right now.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Mr. Onorato.

Ms. Harris, I do not know you, however, many people say many complimentary things about you. Obviously this board is very important to the City of Pittsburgh but also to me personally because there are two housing communities in the district that I represent, Arlington Heights and St. Clair Village, and I apologize that we did not have a chance to meet before this; however, I have many concerns and concerns that are shared by my colleagues, I am sure a concern of yours, and that is security and safety of the residents in all the housing communities across the City, and, in this case, I am specifically talking about the two housing communities in my district. A small segment of the housing communities, or small numbers, from both within and without, have totally terrorized St. Clair Village, and to a small extent Arlington Heights, where law abiding citizens cannot come outside of their units, and where children are not able to play freely. Again, I do not know your background, but can you give me some of your thought or ideas on the safety and security of those in public housing that not only expect it but demand it and have a right to it?

Ms. Harris:

Well, Mr. Ricciardi, I am not prepared to respond to your question explicitly, I mean I do not know the problems chapter and verse, presumably that would come with more knowledge of the Housing Authority, but when it comes to issues of safety and security, it is as I responded to Mr. Smith and to Mr. Hertzberg, I do not see why the considerations for public housing residents should be different from the considerations for anybody else, we all want safety, good schools, nice neighbors, the opportunity to increase -- to have a better life, wherever we are, we want to move ahead. I do not see why that should be any different for anyone living in public housing than it is for any of the rest of us.

Mr. Ricciardi:

I agree with you, and it should not be different, however the reality is it is different. I am not sure if it is different because of the Administration's or Council's viewpoints or how we allocate resources, I am not sure if it is different concerning how the Housing Authority manages their units, because in a way when you think about it, since it is a private complex almost unto itself, even though it should be considered a neighborhood, it is different. So, since it is different, then that must be dealt with, and I am asking you, have you had an opportunity to either speak to the police or the Administration to see why it is different? Because I will take you on a tour, and this is not a challenge, but this is something I would like to do today, I would like to take you to St. Clair Village and Arlington Heights and show you that it is different. So, if it is different it is something that you specifically have to deal with and get back to hopefully this Council and this Administration. It is something that I have become very frustrated at because it is something that I have worked so closely and so hard with not to make it different, but it is, Ms. Harris, and I do not think we can run from that.

When I first ran in 1989, one of my platforms, Ms. Harris, was that I thought it was my responsibility to make all the neighborhoods in District 3 part of Pittsburgh's future, and unfortunately that has not happened with St. Clair Village and Arlington Heights, and I am just looking for new direction from the Housing Authority Board, and I think you are going to give this from what I am able to see from your resume and talked to some of my colleagues.

And, I missed some of your introductory remarks, but can you, please, back up and tell me, what ideas, or what fresh approach, or how do you see you serving on the board, and how are you going to improve the lot of the Housing Authority tenants?

And, with all due respect, this is a very serious subject and I do not find this amusing at all, but what are some of your ideas?

Ms. Harris:

I am not taking it lightly, my smile, I guess, is more frustration than anything else.

When public housing was built in this City, it was built in isolation, communities were essentially self-contained, it was almost like, let's build these communities, set them over here and set them in operation, and the problems that you are identifying are not problems that have arisen recently or quickly, and I do not think they can be resolved quickly or

easily. And, again, I do not presume to sit here today and tell you I have answers. I have come because I have been asked to serve, I have compassion, I have a certain managerial expertise. As a minority, I think I have an uncommon affinity. Even though I may be separated from other people economically, I am black and when I walk out that door I am not viewed any differently from anybody else who is black, does not matter, take away my title, I am still just another black person, and I have never lost sight of that. That is what I bring. I do not have solutions.

You mentioned St. Clair Village. I through my bank have from time to time seen that we were supporting efforts from Frankie Mae Jeters group up there, and I have worked with Ron Suber. I have not -- but I do not come to you, and I think it would be presumptuous and naive to say I sit here with solutions, I do not, I am simply willing to serve and try to help identify solutions, and if that is not good enough then I say, don't vote for me.

Mr. Ricciardi:

No, I think that is good enough. I think the part you said concerning the compassion is very important.

Do you see my frustration in having two Housing Authorities in my district and seeing no progress made since 1989, or very little progress made by both the Housing Authority and the City, and I will take some responsibility of that, obviously, serving on this Council?

What I tried to do and it became somewhat successful but I received no support. As you know we have a program called JTPA, Job Training Partnership Act, and what I did on a very small level was to have small community meetings in St. Clair Village and try to get people into the JTPA program, and it worked to a certain degree, but I received no support from the past Administration and very little support from the Housing Authority, and I was always confused why I did not receive that support. I would think that the Housing Authority and this City Hall would stand up and say, yes, it is important that we disseminate that information; yes, it is important that we either somehow bring people out who work with the Tenant Organization to get people into that program. Because, obviously -- and I am sure you know much about the program, it is a free program, could really train people to escape from housing, public housing, because that was always supposed to be almost like a rest stop.

What became very frustrating to me was, about a year ago there was a fire in our Knoxville-Beltzhoover section and the woman was in need of emergency housing, so obviously I contacted one of the Housing Authorities, and she stated that she did not

want to bring her children to the projects, as she had said, because she did not think it was safe, and that really touched me, because I thought, if she did not think it was safe and she did not think it was safe for her children, someone was doing something wrong and something that definitely needed to be changed. And, Mr. Onorato has raised this, when we talked about bricks and mortar and how important bricks and mortar is, but Mr. Onorato had stated how important safety was, and Mr. Ferlo stated it when he said, well, bricks and mortar are important but we should look into social service aspects, and I think we have made some of those changes, or some of those amendments to the bill.

Again, I think you are going to do a very good job because of your remarks to me and especially the remarks about you having the compassion, I believe you do. Hopefully you see my frustration. And I would hope that either today or sometime this week, we can set up an appointment at your convenience, I am very flexible, and if you would visit both communities with me and meet with some of the people that I have been working with, and maybe we can go from there. Would that be okay?

Ms. Harris:

That is fine.

Mr. Ricciardi:

Great. Thank you.

The Chair:

Ms. Harris, I just want to state that I think you are an excellent choice for the board. I am very excited that we are having a total shake-up on the board, not including my colleague here, who has been trying a lot to shake the board up but has been a minority over there, and I am excited to see someone like you be appointed, because obviously I know the work you have been doing with PNC on the North Side, I have seen you around a lot of projects, and I am very thankful that PNC has taken steps to recognize that there is an urban center and they are a key player and they should participate, and they have been doing that along with several other of the banks in this area.

What I am looking forward to, and I hope you keep an open mind to it, is that, as the new board gets up and running, and I felt that I did not have this with the old board as much as I would like to have with the new board, is that, make an offer to you that you utilize the nine of us in our districts in cooperation with you and let's work as a team in a lot of these areas as opposed to thinking that the Housing Authority is totally separate from the City, because we are in this together, and I think you recognize that, and I heard that in your

comments today in answering the questions, and I appreciate that.

I wish you well, and I think the procedure will be that when we recess the meeting later this after, if there are no objections from the floor here, you will probably be approved later this afternoon; if not, unless somebody has a question, it might take another week, but hopefully it will be today. I think you are an excellent selection. Thank you.

Any other questions?

Mr. Cohen:

Congratulations.

The Chair:

Ms. Harris, thank you very much.

We will now move to Candice Henson, also nominated to be a member of the Housing Authority Board. Is Candice here today?

Good morning, Candice. At this time, if you would like, you have a few minutes to say a few words to the Council, the body, before we ask you questions.

Ms. Henson:

Candice Henson
1704 Brighton Place
Pittsburgh, PA 15212

Good morning. My name is Candice Henson. I live in the City of Pittsburgh. I have two small children, ages 6 and 9. They are straight "A" students at John Marm. I am 27 years old. I am resident of North Side Properties. I have been a resident for seven years, and I am the President of the North Side Tenant Reorganization.

Under Ms. Henson's leadership as President of the NTR, the NTR completed the 4.5 million dollar, 34 unit Brighton Place deal. The NTR is managing general partners and Brighton Place Associates and also the owner of the community laundromat.

Ms. Henson has been an NTR board member since 1987. While on the board Ms. Henson was one of many residence that participated and graduated from both Phase 1 and Phase 2 of the Leadership, Development and Resident Management Training.

Ms. Henson also has traveled with the NTR graduates to Camden, Philadelphia, Chicago and St. Louis to witness and observe firsthand resident tenant management in full swing.

All the above-mentioned sites have gone into Resident Tenant Management Training under the leadership of Ms. Bertha Gilkey. Ms. Gilkey has trained the NTR since 1989 and continued to train the members of the NTR.

I am a member of Alan Chapel A.M.E. Church in Manchester, and I received my G.E.D. from Connelley Skilled Learning Center in 1992.

The Chair:

We will open up for questions. I will make sure we take it easy on you, since you are a fellow North Sider, I will make sure they have some nice questions here. We will go around the table. Councilman Cusick.

Mr. Cusick:

Yes, I was just talking with Mr. Ricciardi, and the program, I think it is -- what is it, North Side Properties, or North Side Tenants?

Ms. Henson:

What program?

Mr. Cusick:

That you are involved in.

Ms. Henson:

North Side Tenants Reorganization.

Mr. Cusick:

Can you tell me a little bit about it and how you started it --

Mr. Ferlo:

Candice, you have to use the microphone.

Mr. Cusick:

-- and what you have done?

I think it is a credit, I think the public should know that we have outstanding individuals in our neighborhoods, such as yourself, that do a lot of hard work and do it because that you care about the neighborhoods that you grew up in.

Ms. Henson:

What NTR has did, we had purchased in our community, which is Brighton Place, we purchased 34 vacant units, we went in and renovated them, we had them cleaned out, now we are renting them. We have opened a -- a grand opening for our community laundromat is today.

Mr. Cusick:

I want to thank you for your dedication and your service to your neighborhood, and I think that Mr. Murphy made a wise choice with your nomination.

Ms. Henson:

Thanks.

The Chair:

Councilman Hertzberg, any questions?

Mr. Hertzberg:

Yes, thank you, Mr. Chairman.

What part of town did you grow up in?

Ms. Henson:

The north side of Pittsburgh. North Side.

Mr. Hertzberg:

Did you go to school around there, or where did you go?

Ms. Henson:

Yes, I went to Oliver High School.

Mr. Hertzberg:

This Brighton Place, the deal that you just talked about, where you acquired, I guess, a few units, as the tenants reorganization, is that done?

Ms. Henson:

Yes.

Mr. Hertzberg:

Does that include renovation of the units?

Ms. Henson:

Yes.

Mr. Hertzberg:

When did that get completed?

Ms. Henson:

December 31st of 1992. 1993. This is 1994. Excuse me.

Mr. Hertzberg:

I cannot hear you. Are they all rented out now?

Ms. Henson:

Yes, they are all rented.

Mr. Hertzberg:

It is going pretty well?

Ms. Henson:

It is going great.

Mr. Hertzberg:

Thank you, that is all the questions I have for you.

The Chair:

Councilman Cohen.

Mr. Cohen:

Thank you very much, Mr. Chair.

I want to congratulate you on your appointment, and I do not have questions, I just want to say to you that I am familiar with NTR and all that you have been doing over there, and I had an experience that I will never forget involving the Leadership Development and Training Course that you had under Ms. Bertha Gilkey, and I was fortunate enough to attend the graduation ceremonies that took place there on the North Side and to hear Bertha Gilkey talk about the need for empowerment, the need for tenant management of our public housing communities and I was very, very inspired by her, and I assume that you were, too, and I think that if you are able to take those lessons that she has

been conveying, and what she did in St. Louis, was it, or is it Kansas City, do you remember?

Ms. Henson:

St. Louis.

Mr. Cohen:

It was in St. Louis. To be able to empower the residents to take some control over the management of those public housing communities, if you can take some of those principles and bring them with you on the Housing Authority Board of the City of Pittsburgh, then I think that would be absolutely terrific, and I just want to hear your thoughts about that. Is that where you come from in terms of your background and training?

Ms. Henson:

Yes.

Mr. Cohen:

Yes. And, I would just urge you to push those principles when you get on the Housing Authority Board.

Ms. Henson:

I sure will.

Mr. Cohen:

Because I think that is so very, very important.

Ms. Henson:

It is.

Mr. Cohen:

And I wish you the best of luck.

Ms. Henson:

Thank you.

The Chair:

Councilman Darkins, any questions?

Mr. Darkins:

Yes.

I would like to commend you for the work that you have done --

Ms. Henson:

Thank you.

Mr. Darkins:

-- as a young African-American woman, and you have been very courageous and, of course, your work is on the North Side. I visit the North Side often, Perry Plaza, all up and down there. I go to all those personal care homes. There is one thing about Duane Darkins, I am not a phony, I visit those places. Right down there on Sheffield Street, the High Rise, I have been there, I put my own money out, supported them in parties for those Senior Citizens, I have done that thing, and I can honestly elaborate, Councilman Ferlo has been my backup, along with Gene Ricciardi, when we carry Senior Citizens to Harrisburg fighting for the Mom Bill, various bills we fought for, and we won because we are concerned about those elderly people.

Your project that you have erected, is in focus, speaks very well for itself. I got a concern about you now. You are a very nice looking lady.

Ms. Henson:

Thanks.

Mr. Darkins:

I want to know, are you going to be the rubber stamp on that Housing Authority Board, are you going to be one that when Ferlo looks at you and smiles and winks his eyes and squeeze your hand and you shouldn't be going that way, you going to go that way, are you going to be that kind of lady?

Ms. Henson:

No, I am not.

Mr. Darkins:

We do not need that stuff.

Ms. Henson:

No, I am not.

Mr. Darkins:

We got enough of that around Pittsburgh in government right now, the new Administration coming in. See today I am afforded the opportunity to come. When they brought on the directors and things I was sick, almost in a coma and I could not get here, but they were so kind to me out there at the home to let me have a pass to come down here today because these are the things, and as you heard me talk about Marva Harris, I love that woman. But, oh, you are going there now, don't you let me down, you stand up and speak --

Ms. Henson:

I will.

Mr. Darkins:

-- for our people.

Ms. Henson:

For our people. I am.

The Chair:

Councilman Smith.

Mr. Smith:

The reverend stole one of my questions, do you ever get angry. You just seem so complaisant.

Mr. Ferlo:

Don't be fooled.

Mr. Smith:

There is a problem on the table right now, and that is no one has truly said -- we talked about your scattered site housing, the 34 new units, what are they?

Ms. Henson:

What are --

Mr. Smith:

In terms of how they are -- subsidized?

Ms. Henson:

They are low to moderate income housing.

Mr. Smith:

Through a particular program?

Ms. Henson:

We were funded, yes.

Mr. Smith:

But these are Section 8'--

Ms. Henson:

No, I live in a Section 8.

Mr. Smith:

You live in Section 8?

Ms. Henson:

Yes.

Mr. Smith:

Very good.

No one has ever been on the Housing Authority Board, to my knowledge, who has lived in Section 8 Housing.

Ms. Henson:

Not to my knowledge neither.

Mr. Smith:

What do you believe -- do you believe that it is Section 8 Housing has -- because the Housing Authority is a pass through for this, there has never been representation; do you have a set and series of problems you have seen experienced as a resident of Section 8 that you believe need to be addressed?

Ms. Henson:

Well, with the problems, I feel that there are things that public housing residents get that Section 8 tenants do not get, and I feel that by me representing my Section 8, that if there is something out there for my people and my community for Section 8, I want to be the one to take it back and give it to the community and try to help others.

Mr. Smith:

So, where you live the Housing Authority does not have day in, day out maintenance and operation; you do not dial a Housing Authority number to get a solution?

Ms. Henson:

No.

Mr. Smith:

I ask you this question and I ask it backwards because I have a general problem, colleagues, with what I perceive as there is not -- and, now, this is absolutely wonderful that we have taken the first step to put a major program that the Housing Authority has had purview over, for the first time in history we are putting an individual to represent that style of public subsidized housing, which is Section 8, and I think that Ms. Henson, being so quiet, probably has quite a temper behind there and will stand up and defend the rights of Section 8. My problem, colleagues, is that this board does not -- as it has been presented to us now -- does not have a tenant who is in housing in housing that has day in, day out, operational, managerial experience for the housing. So, I applaud you being here, but my problem is not Section 8 or yourself, it is the fact that we are creating a board that does not have a Housing Authority tenant on board. I support you, I have seen what you have done, I think that you will represent well Section 8, I am happy to know you and have you here, but my argument is a greater issue and that is the board -- the total board we are creating. We need people like Ms. Harris, who can bring in the business sector. We need people who have faced the day in, day out problems created by organizations with tons of money, lots of staff and they do not live there.

So, I agree with your appointment and will support you wholeheartedly. My next issue is just going to be the fact that there is not a tenant and the maintenance and operational. So, as I jump up and down, I appreciate you time. Thank you.

Ms. Henson:

Thank you.

The Chair:

Councilman Ferlo.

Mr. Ferlo:

Yes. First of all, good morning, and once again, congratulations. My comments for Marva are also included for

yourself and Mr. Rudolph, even though he is not here today, and the other board members, including Dr. Reed. I think all of you have a tremendous track record and bring a lot of expertise and talent to the board.

I just want to put something back into perspective. The five individuals that Council by statute must nominate -- must approve by way of the nominations offered by the Mayor, that still leaves the Mayor two board members to appoint unilaterally. I think Mr. Smith's concern is appropriate, it is a concern that MTO and other tenant organizations within the public housing communities directly affected by the management and staff and board of the public housing agency. There is still an opportunity and I would expect that Mayor Murphy will be hearing those concerns and will respond accordingly. I would hope that all of us support on Ms. Benson here today as well as the other nominees. And, whether or not she has a temper, I do not know, but I know what she does have and that is an organization.

And, I think something fundamental is happening here by the Mayor's actions that has not happened on the part of City government for an awful long time. Basically there has been several decades and several political administrations that have engaged in benign neglect when it comes to the Housing Authority. For many years, as far back as Mayor -- except for maybe the initiation under Mayor Barr, countless Councils, previous Councils, not this Council, previous Councils, previous Mayors, had pretty much operated that the public housing community is somehow distinct and separate, and anything we do in the City, albeit police or social services or transportation or programs, whatever it is, somehow there is this separation that is supposed to exist. In fact, what has been created, as far as I am concerned, is a second-class citizenship for significant numbers of residents within the City of Pittsburgh. I think what you bring, if I know you and the little bit that I do, and I attended the same sessions as Mr. Cohen, and I do want to say, hello, to Bertha Gilkey, because I think she is a tremendous individual, who has not only made a contribution nationally but I think she has helped to provide skills and leadership to the leadership that has already come out of the North Side community in the form of yourself and your mom and others.

So, really what is happening here today -- really, in a way it is almost as if the public housing tenants and community is finally empowered and having some say so on a board. It is true in the past that there have been some board members that may or may not have come from the public housing community, a lot of times those individuals, and I say this respectfully, acted as just individuals. I think what is starting to change is that we have individuals who are going to be part of an empowerment process and I think you pretty much epitomize that in terms of

your role in the North Side community and I think what you will bring to the board. So, I see you as a tremendous asset. And, the other thing is, it is about time we start empowering some young people in positions of authority and the Housing Authority Board is an important position.

Just to clarify one thing. One of the reforms that has happened is the North Side Tenants Re-organization itself is the administrator and handles the contract for inspection services and other activities relative to the North Side housing units, and I would hope that can be a model, not exactly but that kind of activity hopefully will be expanded within other communities throughout the City, and that is where I think you can help play a specific role.

So, again, I applaud you, but I hope we are looking at the bigger picture here in terms of hopefully some of the changes that are going to happen as established by the Housing Authority Board of Directors.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Ms. Henson. I raised some of my concerns with Ms. Harris, I am sure you had an opportunity to hear them. I realize that everyone's schedules are very hectic, but if after the meeting if I could have a chance to speak to you and maybe Ms. Harris so we could arrange -- are you also willing maybe some time this week -- not maybe but some time this week take a tour of the two housing communities that I represent?

Ms. Henson:

I do not mind taking a tour of the housing communities that you represent but can we do it next week because this week I am pretty busy?

Mr. Ricciardi:

That will be fine, yes. That will be fine. It does not really if it is next week or the week after, but especially once you are on the Housing Authority Board, I really would like to ask you and Ms. Harris to visit some of the people I have worked with and maybe to listen to them -- and you two I am sure have in the past but I was not present at that particular moment but I really want to be present. So, I thank you for that.

Ms. Henson:

You are welcome.

The Chair:

Ms. Henson, let me just congratulate you on your nomination. I think that you as well as the NTR represent everything that is good about public housing and about the Section 8 Housing. We all know the problems that exist there, however, I am excited to see you nominated because you have a successful track record, and you know the downsides and the upsides of trying to take some of these units private and to have a group to operate them privately. I think it is the way of the future. As you know as well as I do, you just do not do that overnight, it takes a lot of training to manage properties. Let me just say that I am extremely proud to have you as a fellow North Sider sitting on that board and I look forward to you serving on there. Thank you. Have a good day.

Ms. Henson:

Thanks. Thank you.

The Chair:

No other questions, we are going to move on.

Mr. Jesse Fife, Jr., been nominated to be a member of the Zoning Board of Adjustment. Mr. Fife. There he is. Good morning, Mr. Fife. Like everyone else, you have an opportunity to address this body. If you could sit down and speak into the mike, and then we will open up for questions, but the floor is yours.

Mr. Fife:

Jesse W. Fife, Jr.
1006 North Sheridan Avenue
Pittsburgh, PA 15206

Good morning. Thank you.

First of all, I would like to thank Council for having me here this morning. I am pretty sure most of you have my background sheet. Currently I am the Vice President of Bidwell Training Center, which is an institution that is located on the North Side and has been around for 25 years. It is the biggest 501(c)3 non-profit in Pennsylvania that provides vocational training. I have been involved with the overall management of that institution for over 20 years. I am basically the man that handles the day to day operations, and we can proceed from there.

The Chair:

Any questions from the floor? Councilman Ricciardi.

Mr. Ricciardi:

Thank you. Mr. Fife, if you could just tell me how you see the Zoning Board of Adjust, their role and responsibilities in the City of Pittsburgh?

Mr. Fife:

Well, the way I understand the Zoning Board, the board is initially set up to review decisions that might be made by the Administrator or the Superintendent, to see if there is some sort of variance or so forth that can be given to owners and/or owners in relationship to development. It is -- more or less I view it as a -- more or less like a magistrate. I mean it is a situation where an owner might be upset because he cannot build or he cannot extend his porch or he cannot build this building or he cannot build this building, he cannot expand it, so, therefore, he wants to appeal that and see if there is some sort of decision that can be made by the board, the Zoning Board, that can give him an opportunity to get the value of his property, or the owner's property. It is a situation where I view it as an overseer to the City of Planning Department.

Mr. Ricciardi:

And I agree with that concerning the expansion of one's property, but it also is the use of one's property, I believe that is correct?

Mr. Fife:

Yes, the use of one's property, and the protection of City property, to encourage development, both public and private.

The Zoning Board has an important opportunity to make sure that the City moves forward in terms of preserving the stability of the land, encouraging, again, the development of the land and buildings, and I see the Zoning Board as then being that important.

Mr. Ricciardi:

I notice several times you have mentioned encouraging the development, and I think you mentioned that three times. Obviously at the other end of that, and sometimes it does parallel that, is also, however, the protection of the neighborhood in terms of the quality of life and livability. For example, tomorrow at the Zoning Board of Adjustment there is a -- and I am not going to talk about the case because you might be there tomorrow, but at times, restaurants and bars decide that they would like to expand their special exception in terms of serving alcohol. When it comes to special exceptions, what

goes into your thought process in either granting or denying a special exception?

Mr. Fife:

Well, I think it is important that one understands the Zoning Code and the Zoning Ordinances. I think it is important that we take into consideration the welfare of the communities, so that development, that expansion, or so forth, will not hurt some of the issues that are affecting the community. It is the board's decision along with the colleagues that I will be working with to attempt to look at the issues and deal with as many facts as possible, as much information as possible, for them to make the decision that is fair, both to the community and to the persons and/or owners, who are wishing to do development or expansion.

Mr. Ricciardi:

Mr. Fife, you have a very impressive resume, very impressive background, many accomplishments, and I really salute you for that.

I did see, however, their appeared to be a lack of either book knowledge, or even street knowledge, when it came to land use and zoning. For example, as you know in the Pittsburgh Code we do have a section considered Zoning, and we talk about the different zoning districts and zoning text and variances and special exceptions. Can you just tell me why we would vote for you?

Mr. Fife:

Well, I think in any decision making process it is the ability for a person to think and make logical decisions. Being involved with the institution that I am involved with involved me interpreting federal, state and local regulations and applying those regulations to the growth of our institution, and that is what I have been doing for 25 years. I mean if you take a look at the volumes of regulations that I have to deal with I think you would agree that I do have that proven ability and that is what is needed as a Zoning Board member, I mean you have to be able to take the Zoning Codes and the Zoning Ordinances, apply those Zoning Ordinances to any situation that you are going to be making a decision on, and I have that strength, I have that proven ability, I have 25 years in managerial. I mean I am a proven leader, I am a proven problem solver, and I think that is important.

Mr. Ricciardi:

Thank you.

Mr. Fife:

You are welcome.

(MR. ONORATO LEAVES THE MEETING, MR. FERLO ASSUMES THE CHAIR)

The Chair:

Mr. Hertzberg. We will go right up the table now.

Mr. Hertzberg:

Thank you, Mr. President, Chairman.

I take it then you really have not had as much experience or involvement with the Zoning Board?

Mr. Fife:

No, I have not.

Mr. Hertzberg:

But you correct me if I am wrong. I mean you seem to feel comfortable that you can learn new things?

Mr. Fife:

Well, as I said, I am a worker bee, and I do whatever the job takes. If that means for me to sit and learn what I need to learn to make the proper decision, then that is what I will do. I do not take any job haphazardly. I think my 25 years at the institution that has been built there on the North Side, I do not know if many of you have been over there, again, it is one of the premier institutions in terms of vocational training, that takes a lot of hard work, that takes a lot of dedication, and that is what I do, I am dedicated.

Mr. Hertzberg:

I have a pretty decent background in zoning law as a lawyer practicing. I would agree that if you put your mind to it you should have no problem learning the whole thing.

One of the things that I noticed with the Zoning Board over the years, is kind of troublesome to me, was the speed at which things were done, and when you start talking about development, speed or lack of speed can make or break a project, and I mean whether you are going to decide yes or no a lot of times on projects, the speed at which that decision is made can have a great deal of impact on the parties and on the entire area. So, that is all that I would ask you to keep in mind, and I believe you will be appointed and I would ask you to keep that in mind.

Mr. Fife:

I agree. Well, what I would say is that I hope myself and my colleagues on the board will work as expeditiously as possible to deal with issues that affect the development of this City, and I think that is important, and I think that is one of the reasons why the Mayor has felt that I could do a very good job for him, because I am a paper pusher, I am a very detailed person and I like to see things done.

Mr. Hertzberg:

Thank you.

Mr. Fife:

Thank you, Mr. Hertzberg.

(MR. ONORATO RESUMES THE CHAIR)

The Chair:

Councilman Cohen.

Mr. Cohen:

Thank you, Mr. Chair. Good morning, Mr. Fife. Congratulations on your nomination.

Mr. Fife:

Good morning. Thank you.

Mr. Cohen:

I would like to just pursue a couple of questions with you. First of all, let me just say that I very much admire and respect what Bidwell Training Center is doing on the North Side, and I think that you have really made your mark in being able to train workers and retrain them. So, I am very impressed with Bidwell. This, of course, is a very different appointment that you are up for, and that is the Zoning Board of Adjustment, and given that you do not have the firsthand background in zoning issues that the other nominees have, let me just ask you, generally, why you want to be on the Zoning Board and maybe a little bit of your background with respect to neighborhood groups.

Let me start with the first one first, and that is, why do you want to be on this Board?

Mr. Pife:

Because the Mayor of Pittsburgh has asked me. Again, my abilities, my proven abilities, my strengths, my leadership abilities, my abilities to analyze situations, my ability to interpret regulations and laws, my ability to justifying problems and come up with solutions. I think I want to apply that elsewhere now, because, again, I have been at the institution for over 20 years and it has grown, and now I think I need to take those abilities that I have and put them somewhere else, that is the reason why I want to be on it.

It is not that I come here not familiar with Zoning Ordinances or unfamiliar with Zoning Codes, the institution has been involved with a number of developmental projects that require that I interpret some things as it relates to doing things here at our institution.

But, again, laws and regulations are written, it takes a persons ability to understand those laws, understand those regulations and apply them fairly in whatever situation comes in front of them. I am confident, I know I can do the job, there is no doubt about it.

Mr. Cohen:

Thank you. Do you have involvement, specific involvement with neighborhood groups -- I just do not know enough about you or your background -- on the North Side or elsewhere in the City of Pittsburgh?

Mr. Pife:

Well, I would say, with Bidwell Training Center, not specifically neighborhood groups, but specifically participants who have come from a variety of neighborhoods, from the South Side, to the East End, to the -- East Liberty, I have seen them all, I have talked to most of all of them. I mean I understand problems in the community, it might not be related to development or zoning issues, but just overall knowing what it takes for an individual to survive, and if an individual wishes to motivate himself the training institution is there, it has always been there, their problems are always handled there. And, again, I think that it is time for me to apply some of the skills that I do have to help other City departments.

Mr. Cohen:

If and when you become a member of the Zoning Board of Adjustment, what weight would you give to a neighborhood group that came in, say, and opposed a project, whether that be an expansion of a development or whether it be a bar, a special exception for a bar, but let's say a neighborhood group came in

after a vote of their membership to oppose a particular special exception or a variance, what weight would you give to that representation?

Mr. Fife:

With owners and/or community groups that oppose Zoning Ordinances, again I would like to have all the facts in front of me and also along with my colleagues be able to look at that situation and give a fair decision on it. I cannot say that I am going to be for community groups, I cannot say I am going to be --

Mr. Cohen:

No.

Mr. Fife:

-- I have to look at the issue, I have to look at how the laws and the ordinances apply to that issue and make a determination that I think might be fair.

Mr. Cohen:

Yes, and I am not asking you to take sides, because I do not think that would be appropriate.

But, I do want to follow-up on Mr. Ricciardi's questioning a little bit. You did mention in your opening statement a couple times about encouraging development, and I just need to discuss that with you a little bit as to what you mean by that and how that takes place in the context of usually commercial business districts in neighborhoods?

I will give you an example from my district. There are at least four commercial business districts in my neighborhood and they are all very healthy business districts and I am happy about that, Liberty Avenue in Bloomfield, Walnut Street in Shadyside, Forbes Avenue in Squirrel Hill, Craig Street in the Oakland area. All of them are commercial districts, except for the Walnut Street area -- commercial in terms of zoning. Walnut Street is an "A1" district, and maybe we can get into that a little bit, but each of them involves a business district surrounded by a neighborhood.

Mr. Fife:

I understand.

Mr. Cohen:

And, when you say you want to encourage development, we are all in favor certainly of jobs and development for the City of Pittsburgh, particularly here in the Downtown area, but I need to explore a little bit what you mean by encouraging development in your position on the Zoning Board, especially with respect to the surrounding neighborhoods?

Mr. Fife:

Well, one of the things that I have read with the preamble and the Zoning Ordinances, the Pittsburgh Zoning Codes is that the Zoning Board should encourage public and private development in conjunction with assuring that the morals and the welfare of the community groups are taken into consideration when they do that. But, again, I know all neighborhoods, rather they be on the South Side, North Side, East Liberty, do want some sort of development, commercial development in their areas, they want to be able to go to a community store and feel safe doing that, that is not there, they want it there and the owner wants to put it there, if an ordinance says that we cannot be there, then we need to take a look at that. I think it has to be a situation where you develop relationships with community groups and relationships with building owners and people who wish to develop and you have to -- there is a fine line there and -- but I am for development, I am for creating jobs, as you know, coming from a job training background, I want jobs and sometimes those jobs are locally in the community. So, why stop any kind of development if there is a congenial relationship between both groups.

Mr. Cohen:

Yes, but there never is. And, you know that, too. I wish that were the case, but usually the case -- well, I shouldn't say there never is, there are sometimes. But usually the hard cases are before the Zoning Board, and that is why, obviously, the Mayor nominated you, for those hard cases.

When what exists is, an expansion of a development or placing some development in a neighborhood and the neighborhood group opposes it because they feel it undermines the special quality of the neighborhood --

Mr. Fife:

I understand that, yes.

Mr. Cohen:

-- what do you do in those cases?

Mr. Fife:

Look at the facts, Councilman Cohen, and, again, along with my colleagues attempt to make a decision that is fair to both parties.

Mr. Cohen:

That is very fair.

There are kind of two opportunities here when we have nominees that come before City Council, one of them is for us to hear from you and your background and qualifications for the job. There is one other, and that is our chance to make a little pitch. So, I would like to make a very brief pitch, and that is that in the Zoning Code the major decisions that are made by the Zoning Board involve special exceptions or variances, and one thing I think is often lost is that these are exactly what they say, they are a variance from the law, the law that is established way back to protect the neighborhoods in the City of Pittsburgh, or a special exception from the law. And, I think that it is important to make that point, because the presumption in my view should be in favor of the law as it is written and that if somebody comes in and wants to expand their development or put in a bar, a late night bar -- for example, Councilman Ferlo and I are involved in one on Negley Avenue near Penn, that we are opposing, they are seeking an exception to the law, a variance from the law, and I think that it is very important to look deeply into how that variance or exception would affect the general health of the neighborhood. Under a variance it makes it very, very specific that it is only in cases of hardship that you can grant a variance, a hardship that would actually deprive the owner of any reasonable use of the property. That is a very, very difficult standard to meet. And, under special exception, that no special exception can be granted if the establishment location or operation will endanger the public health, safety, morals or general welfare or will be injurious to the enjoyment of the neighbor's property.

The reason I read that is, there are cases, cases that I have been personally familiar with and, frankly, personally disappointed with from the Zoning Board where that was ignored, absolutely ignored, in my view; some cases they were not but some cases they were, and I think that it is important to weigh, not only the developmental interest but also the very, very legitimate neighborhood interest, to say, this is a City of neighborhoods, we live here, we care about our neighborhood, we want to raise our families here, and this parking lot, or this late night bar is going to hurt us in living a good life here in our neighborhoods. And that is why I think the requirements of the Zoning Board are very, very strict, and I would ask that you look at them in a strict way.

Mr. Fife:

Well, that is your preamble in terms of that, and, again, as a Zoning Board member, if I am confirmed, is to stay in the spirit of that preamble, that is for the Zoning Board, and that is what it specifically says.

Mr. Cohen:

Thank you.

Mr. Fife:

You are welcome.

The Chair:

Councilman Smith.

Mr. Smith:

Yes. Good morning. I have some problems that I hope you can address. It may just be the style or the format of the resume, but in terms of community involvement, because this is the only paying board that the City of Pittsburgh has, there will be cash remuneration for your service. I am looking to see some sort of concept of where you have put your efforts for free in our community, not your employment, which is extremely impressive, but where you have put your efforts, it gives me an opportunity to decide, do I think you will be fair, will you be lenient with business, or will you lean towards community.

So, if you could respond.

Mr. Fife:

Well, basically I had previously been on a lot of boards that are not on my resume, since then I have resigned from those boards. The reason why I have resigned from those boards is, one is -- again, I have to talk about the institution that I currently work for, I mean it is not an eight-hour a day job, it is more than eight hours, it is like 14 to 15 hours a day. Those remaining hours I am going to spend with my family.

But, I have the involvement. The fact that I have been 25 years with that institution that provides a change for individuals to retrain or upgrade their training and get back into the work community, I think is a big commitment, and I have made that commitment to build an institution over there on the North Side that responds, and that took a lot of time to do that.

Mr. Smith:

But your residence is elsewhere?

Mr. Fife:

I am originally from the North Side of Pittsburgh, Strauss Street and Charles Street. I spent 18 years of my life on the North Side and when I come out of college I decided to set up my home in the Highland Park area. I did not leave the City, I stayed in the area.

Mr. Smith:

Well, I am just trying to find out what you have been involved in in Highland Park that would give me a sense. I have no sense. You are an unproven entity. The other people, we can see who they have their history in terms of zoning ideology has been with.

Mr. Fife:

Which is not good.

Mr. Smith:

But, still I am interested in trying to elicit from you something that will trigger my security that there is going to be, not a following of the letter of the law, as much as there is the spirit of the law, and --

Mr. Fife:

At this point in terms of my involvement in community development issues, like the Highland Park Community Club, and so forth, no, I have not been involved with that, Councilman Smith. But, again, I say that it is not a reflection that I am not community oriented, it only proves that an institution that we have built on the North Side requires a lot of time. And, again, I must say that the other time that I do have available I feel that I have to spend with my family.

I am going to be fair. I am a fair man and I think that is the reason why the Mayor has come to the North Side and selected me. I do take issues, I take them seriously, I try to define that issue and find a solution to it and that it be fair when I do it. So, that is where it is at this point.

Mr. Smith:

The next thing I am going to say is not aimed at you as much as it is we now have a Board of Adjustment to which there is nobody and everybody is learning today, do we hold off for 60

days to give an opportunity to just sort of review the code? No one can learn it all, and I would not, even with your background, impress that with you.

Mr. Fife:

I am familiar with the Code.

Mr. Smith:

We are creating a board to which no one is there for continuity of cases, and I think it is an unfair thing to do to yourself, along with the other individuals, a whole new board, no guidance, no one to turn to. So, there is a major learning curve problem that, unfortunately, certain neighborhoods and communities who are already scheduled to appear are going to face, which I think gives undue pressure but an opportunity for yourself, when you are appointed. I know who you are, but you are such an unknown quality and my fear is that this is a quasi legal board that pays big bucks for part-time work and we do not know whether or not -- at least I do not know, let me change that -- I do not know if what I think I am going to get is going to be positive, fair and a total person in terms of reviewing this, because some of it is the letter of law and some of it is the spirit, and I am just trying to get out of you, because to be honest, volunteerism I do not see in your background, everything you have done, you have done well but you have done it for money. Does that lead me to believe that business and corporate and capital are -- and there is nothing wrong with that, there is nothing wrong with that, I happen to come from the poverty struck community service background and so I am trying to find people that I think will at least be middle of the road and issue by issue oriented. I am asking you a philosophical question that cannot be --

Mr. Fife:

Councilman Smith, being on the Board of Adjustment will be dedication on my part, as I have dedicated to everything that I do. I am not coming in here as a neophyte. I do know some of the Zoning Codes. I do know some of the things that the board is required to do. It is a learning process, but everything is a learning process.

Because I do not have the community involvement that you want to see does not mean that I will not do the best job that can be done in that position. I am not money oriented, if that was the case I would not be in the City of Pittsburgh. I am dedicated here because I was born here, I was raised here and I devoted my entire life to helping others that cannot help themselves and I think it is appropriate for me now to take my skills and my abilities and put them where I think it is best also used.

Mr. Smith:

Thank you.

The Chair:

Councilman Ferlo.

Mr. Ferlo:

Mr. Fife, first of all, congratulations, I think you and the other nominees are tremendously capable individuals and I know all of you have the wisdom of Solomon and you are going to be able to do one heck of a job on the Board of Adjustment.

Fences may make good neighbors but, unfortunately, when you are dealing with that issue before the Zoning Board it may not always be the case, depending on how high the fence is, or how long it is, or whose property line it sits on, or what the Code calls for, and, unfortunately, as you know many of the issues that come before the Board are very controversial and very important issues involving orderly development. Sometimes you have made your disputes involving commercial versus residential, but sometimes it is as simple as two neighbors getting along in terms of some variance.

And, I guess, I probably wanted to ask you, have you ever been through the Board of Adjustment experience for any reason, either professionally or just as a community person?

Mr. Fife:

Yes, I have been through it regarding our institution. Yes, when we built a 62,000 square foot facility on the North Side, naturally it took a lot of adjustments in the district to allow that to happen, yes.

Mr. Ferlo:

And that is what I am asking you to do, is to apply not only your business background skills but your life skills and the kind of wisdom and the temperament and the judgments that you need to deal with before the board, and everything is not -- it is not always clear what the issues are. I think you really got to allow individuals -- many people that come before the board are slick attorneys getting paid, they know the Code and they know how to manipulate and phrase things before the board, however, they should have no more or any less equal footing than your average resident, albeit they are represented by a neighborhood group or just a property owner, who may have just as much concern and wants to have just as much a fair hearing before the board.

So, I hope yourself and the other members are going to treat everybody as an equal partner, whether it is an individual person, who is just an individual resident property owner, who does not come down with paid professional attorneys --

Mr. Fife:

I think that is important, and I think that is what me and my colleagues will be about doing, looking at those issues.

Mr. Ferlo:

And, the only other thing I ask you is, whenever I am in front of the board just always agree with me.

Mr. Smith:

I think that is what we are all afraid of, Mr. Fife.

The Chair:

Mr. Fife, I would just want to congratulate you. I do not have any questions. I will just put a little caveat on what Mr. Ferlo said, and that is, if he is in front of the board and I am on the other side, don't always agree with him, okay?

Mr. Fife:

Okay.

The Chair:

Congratulations. We will move on.
Any other questions? Councilman O'Connor has one.

Mr. O'Connor:

One quick question. Jesse, I am impressed with your background and I am certainly impressed with Bidwell. Again, time wise, do you feel comfortable?

Mr. Fife:

Yes, I feel comfortable. I assure you, I would not have accepted the Mayor's nomination if I did not feel comfortable in being able to do the best job possible.

Mr. O'Connor:

And the people at Bidwell are willing to sacrifice a little?

Mr. Fife:

Yes, I have brought the institution a long way now and I have 53 staff that I think can move along with me being absent for a couple days and wouldn't nothing happen.

Mr. O'Connor:

That is certainly a credit to you how well it is run. Being a part of that must be very exciting and rewarding?

Mr. Fife:

It has been.

Mr. O'Connor:

You did mention you knew the Code. I mean have you been studying or working on it?

Mr. Fife:

Yes, I have been studying it. Since I did receive the call from the Mayor for my nomination I began to pick up information and data and began to read the Code and by the time I take over I will be just as much familiar as everybody else.

Mr. Cohen:

I realize we need the people to be fair to the people you will be working with for or against. When do you feel you would be ready, I mean today, tomorrow, another month?

Mr. Fife:

I am ready to go now.

Mr. O'Connor:

You feel that confident?

Mr. Fife:

Yes. Yes. I do not know the entire Code in detail but I know the thrust, I know the spirit of the law and I feel I am capable of administering that.

Mr. O'Connor:

Well, I certainly congratulate you and wish you well.

Mr. Fife:

Thank you.

The Chair:

Thank you very much. At this time we would like to have Clifford Levine come forward, he is also nominated to sit on the Board of Adjustments.

Mr. Levine, good morning, and it is still morning barely. You have a few moments to address Council before we ask questions.

Mr. Levine:

Clifford B. Levine
6214 Wellesley Avenue
Pittsburgh, PA 15208

Well, I am a resident of Highland Park. I am a partner in the law firm of Thorp, Reed and Armstrong. I am married and have four children. And, basically I am a litigator, a trial lawyer, and a significant part of my practice has been devoted to land use and zoning matters.

The Chair:

Thank you. Councilman Ricciardi.

Mr. Ricciardi:

Mr. Levine, first let me say that you come from a very prestigious and competent law firm.

Mr. Levine:

Thank you.

Mr. Ricciardi:

I salute you for that. I believe one of your strengths are, and maybe you could expound on it, that you served as a law clerk for Commonwealth Court, and it is my understanding, obviously from City politics and government, that all appeals from the Zoning Board of Adjustment do go to the Commonwealth Court; is that correct?

Mr. Levine:

That is correct.

Mr. Ricciardi:

Maybe you could just expound or tell us a little bit about your role as a law clerk for Commonwealth Court and when it came to zoning questions or what type of work you did and which judge you served for?

Mr. Levine:

I would be happy to.

In 1982, or so, early 1980s, I was a law clerk to David Craig, who is now the President Judge of the Commonwealth Court, and Judge Craig had been a City Solicitor and had been the author of the Zoning Ordinance back in 1958, or one of the contributors to the ordinance. He also was on the Planning Commission, I believe, in the early 1960s. He really is credited with -- well, he had an enormous zoning practice and he was a partner in a law firm before he went on the bench.

As his law clerk any controversial zoning case would go to him, pretty much, and I had a tremendous opportunity in my year and a half with him to look at a lot of issues and it was a mentor relationship, where he would be able to explain the different areas of the law and kind of the legal theory behind a lot of the zoning and working with the Municipalities Planning Code.

So, any appeal from the Zoning Board of Adjustment typically goes to the Court of Common Pleas and then if it is appealed from there, would go to the Commonwealth Court, which is the court, as you know, that hears the public issues.

So, that has been a great asset and that experience helped me at Thorp, Reed, such that I tended to handle a lot of the zoning matters that our firm was involved with.

Mr. Ricciardi:

Well, I in no way would ever question your skills in zoning and I salute you for all of them, and also I think you bring something else very important, and that is community involvement and community awareness and a love for the City of Pittsburgh. I am aware you are very involved with the Highland Park Community Club, and also the park that was constructed and also the reservoir, a question that is coming before the City, and other things you do.

But, I also want to let my colleagues know that in the past we had some dispute on claims by actors that are trying to escape the police and the liability of the City. Let me just say publicly, I have done some work on that and the research was all done by Mr. Levine as a citizen here in the City of

Pittsburgh, I did not ask for that but you forwarded that information to me and to the Law Department, and I really think that is a reflection on you as a person, seeing the City, either in distress or in need and willing on your own to forward us some information and giving us the ability to reflect on that information you forwarded us. I really think that is a reflection on you as a concerned citizen here in the City of Pittsburgh, and I thank you for that.

Mr. Levine:

Well, thank you, and it was my pleasure.

The Chair:

Any other questions? Councilman Cusick.

Mr. Cusick:

I just want to congratulate you on your nomination and I am sure you will be confirmed just by looking at your experience and employment and your background and education. I feel that you -- not only you have gone above the call of duty in a lot of community work, and I am glad to see that this Administration is looking for people with your type of credentials and skills, and I think you will be a great asset to us.

Mr. Levine:

Thank you. I will look forward to working with you.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

I might want to echo that, I am very impressed with your record, have checked some of your references and you come very highly recommended. And, again, I just think you will be an asset to the City, it is time for new blood and to move on, and I just congratulate you and wish you well.

Mr. Levine:

Thank you very much.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Thank you, Mr. Chair. Good morning. I take it you, yourself, have practiced before our Zoning Board in the City as a lawyer?

Mr. Levine:

Yes, I have.

Mr. Hertzberg:

Did you have the chance to practice there when Joe Mistick was the Chairman?

Mr. Levine:

A couple of occasions, I believe. I was not involved in any major case. I think an afternoon we'd go over there. Once or twice, that is about all, I believe.

Mr. Hertzberg:

I mean do you have any opinion on how he ran that Zoning Board as opposed to anyone else?

Mr. Levine:

From my experience he was very good, very fair. In fact, one case that comes to mind, I believe we lost. So, I disagreed with his ultimate conclusion but I thought he ran the meeting well.

Mr. Hertzberg:

Yes, I had a lot of confidence in him when he was the Chair there myself.

One of the things that I mentioned to Mr. Fife that I think is important there, and there are a lot of important things, but at various times I have gone through unnecessary delays over there. I think when it comes to -- whether it be development or a dispute among neighbors, speed can make or break a thing, whether you are going to decide yes or no on it. So, the only thing I would ask you to do --

Mr. Levine:

Well, I think you are absolutely correct.

In addition to community work, I have represented a lot of developers in my practice, and I believe that was your observation, that time delays can effectively kill a project,

and I think you are absolutely right, and as a lawyer representing developers, it has been those sorts of frustrations, that the process takes so many years sometimes. So, I have lived that firsthand and agree with you.

Mr. Hertzberg:

Thanks.

The Chair:

Councilman Cohen.

Mr. Cohen:

Thank you very much, Mr. Chair.

Good morning still, Mr. Levine, and congratulations on your nomination.

Mr. Levine:

Thank you.

Mr. Cohen:

You certainly have an impressive resume for an attorney and come from a fine law firm.

Let me ask you a question up-front just about the process here. Have you been appointed to be Chair of the Zoning Board or have you not been informed of that yet? My understanding coming into this meeting was that you were appointed to be Chair of the Zoning Board.

Mr. Levine:

It is my understanding that I would be a member of the Board of Adjustment, however, under the City Charter one member of the Board of Adjustment must also serve on the Planning Commission, and that I would be that individual, and that there is no requirement by the Charter that individual be the Chair.

Mr. Cohen:

I believe that is true. In the past it has been, but it is not a requirement. But, do you know who is going to be the Chair of the Zoning Board?

Mr. Levine:

Mr. Murrin, Regis Murrin.

Mr. Cohen:

The next nominee.

Mr. Levine:

That is right.

Mr. Cohen:

Tell me a little bit more -- well, first of all, just going into your background a little bit further back in history, and that is your being a law clerk to Judge David Craig. I have a great admiration for Judge Craig, and I think that there may not be anybody in the Commonwealth that knows the Zoning Code better than he does. So, you certainly started at the feet of a real, real giant, I think.

Mr. Levine:

That is true.

Mr. Cohen:

But, since then, let's talk about your career a little bit, especially in the zoning area. What types of cases have you personally brought before the Zoning Board, just categories, types of cases or types of clients?

Mr. Levine:

Well, actually my cases before the Zoning Board have been more limited than my general zoning practice. The cases, I represented on a pro bono basis Birth Place, which is the mid-wife -- I do not know how you call it -- a mid-wife --

Mr. Onorato:

Mid-wifery.

Mr. Levine:

-- mid-wifery. Thank you, Mr. Onorato. And they were seeking a -- I believe a special exception to be located in the Friendship District, and that was an occasion before Mr. Mistick, and that was turned down, but they have since relocated on Baum Boulevard. That was an experience.

I have represented individuals --

Mr. Cohen:

I know where that is, yes. It is nice and it is beautiful.

Mr. Levine:

And, I have represented individuals for relatively small matters, such as the -- fences and I believe there was an instance with a liquor app., there was a question about converting to a liquor license, and that sort of thing.

Most of the more substantial zoning matters --

Mr. Cohen:

What was that case with the liquor license?

Mr. Levine:

That was an establishment on the South Side at the time that Deborah Miskovich, I believe, was the Chair, and there had been an issue about a violation and I had represented an entity, and to be quite frank with you, I do not recall the -- it was a relatively small matter, and we did that in about an hour.

So, those have been the matters in front of the Zoning Board. The more substantial matters have been, early in my career I represented Shaler Township and we used to go in and have some enforcement actions, enforcement proceedings. I have represented Chambers Development Company, the landfill company, and we had some substantial zoning matters there, and I have represented them from the developer's side of view.

Mr. Cohen:

Was that the Monroeville case, or is that --

Mr. Levine:

Yes, I have been involved in the Monroeville case, which is still pending before Judge McKay now.

Mr. Cohen:

And I won't ask you questions about the case for that reason, but was there also a representation of Chambers before the Pittsburgh Zoning Board?

Mr. Levine:

I did not represent Chambers in that instance, not in front of the Pittsburgh Board.

The Chair:

Councilman Cohen, could we just take a break and just switch here, I think her fingers are tired at this point. Thank you.

(AT THIS POINT, I WAS TEMPORARILY RELIEVED BY
MARY ANNE HRUSKA)

(CONTINUED ON NEXT PAGE WITH NO LOSS OF CONTEXT)

(cont'd)

Mr. Levine:

I represented -- I had a number of cases where I represented a gas station or a company where they were building gas stations and they would often have to go into the various areas seeking variances. On Chambers, I've represented them on a number of occasions and I'm involved now in a project representing the Fox Chapel Water Authority and they are erecting a water tower and that's been the source of substantial litigation, so I have been involved in a number of very controversial projects in terms of public interest to which you were earlier referring and others and then I have had a lot of experience in municipal-related cases that weren't specifically zoning.

Mr. Cohen:

Tell me a little bit about those, just the general category. Were those before Courts of Common Pleas or other --

Mr. Levine:

-- my practice has been in both Common Pleas, Federal Court. My general area would be commercial and development litigation. I do construction work, I represent a couple of contractors and that's also included some construction arbitrations, so I would say the overall development, I have had a number of actions in front of the Public Utility Commission representing developers of independent power projects that is not involved in zoning per se but involves both federal and state utility law. So I've had the fortune of having a varied practice and in a nutshell I would say it's commercial/construction/land use.

Mr. Cohen:

Tell me how you will deal with potential conflicts that come up? It happens to any attorney in a law firm but particularly one who is being appointed to a board that concerns issues that you have worked on in private practice. Have you thought that out and come up with a plan as to how you would deal with potential conflicts?

Mr. Levine:

Obviously if I represented a client I would not want to sit under any circumstances in a case.

Mr. Cohen:

You would not appear before the Zoning Board.

Mr. Levine:

No, absolutely not. I'm not prepared to appear before it and I don't think it would be appropriate for me to -- I'm reminded of a Woody Allen movie where I believe he cross-examined himself and I wouldn't be involved in that situation. I believe though I did check the Ethics Act and I believe that in a case of a three-member board that what is envisioned is that the third participant identify the conflict and then in the event that the two individuals are tied that there has to be some sort of a majority and I know you as the sponsor of the Ethics Bill, there would be questions that I would want to confer with you and the Law Department but that was my initial reading of that, that in certain instances if I had some sort of a personal involvement, I may identify that but that I am still -- it is envisioned that I would at least sit there in the event to serve as a tie breaker and I think that's a unique situation with a three-member board. That's something I would want to get clarification.

Mr. Cohen:

That is the problem with a three-member board but I think that we can discuss particular instances but I think it's probably best in those instances to recuse yourself if you have any personal involvement.

With respect to members of your firm that might appear before the Zoning Board, how do you deal with that situation?

Mr. Levine:

I don't see that our members of the firm should be in a position of appearing before the Zoning Board as long as I'm on the Zoning Board. In that case somebody else should handle that one. As you know, there's an appearance of impropriety and I think the most important thing in any court is that everybody has their fair day whether they win or lose and I think that's the underlying guideline to any type of ethical decision.

Mr. Cohen:

Please know that I'm not implying any --

Mr. Levine:

-- your questions are quite legitimate.

Mr. Cohen:

Let me ask you about your participation in the Highland Park Community Club. First of all, thank you for your work as counsel to the super playground project. Thanks to your wife and Councilman Ferlo of course worked so hard on this and it's such a terrific project. Have you had other participation in the Highland Park Community Club other than the super playground?

Mr. Levine:

I'm on the Board of the club and we've have been involved in the the ongoing process. In fact, I worked with Mr. Ferlo about seven years ago where there was an effort to revitalize Bryant Street which is an ongoing difficult project, I was involved with that a little bit and more or less overseeing the club because it's a very strong, community-based group and I've been involved with that and my other primary involvement has been having four small children, I try to focus activities in which they are involved. I have been a coach for the Dynamo Soccer group and I know one of your members is very involved with that group and so I've done that for about six seasons.

Mr. Cohen:

It's probably good preparation for the Zoning Board anyway.

Mr. Levine:

And then my children is are in the Sacred Heart League and involved with the baseball, but I do make an effort. I'm involved with the Highland Park and we do some pro bono work as Mr. Ricciardi mentioned and I have been willing to help out on legal aspects on a pro bono basis and frankly with four children I try to devote whatever extra time I have to activities in which they would be involved.

Mr. Cohen:

As far as the question that I had asked Mr. Fife earlier and that is the wait, and I realize these are difficult questions so I'm not going to give you a specific hypothetical, but what kind of wait would you give to a community group whether it be the Shadyside Action Coalition or Friendship Preservation Group, what wait would you give to that group if they had a vote on a given variance proposal or special exception proposal and came before the Zoning Board and stated their being in favor or opposition as a neighborhood group?

Mr. Levine:

That is a good question. In fact, I can go back to one of Judge Craig's opinions about 14 years ago which has been a landmark decision and on a decision he discussed the relative burden of proof or burden of persuasion that the various sides would have and what he said was that in a conditional use or special use or special exception where the applicant must meet six or eight conditions, that that applicant has the burden of proof to show adequate parking or adequate whatever. Then there are a second set of conditions which are community-related conditions. Undo traffic, public health, safety and welfare issues, and those are the issues that the objectors have the burden of proof going forward with the evidence. So the way I would approach these conditional uses and special exceptions is it would be first incumbent upon the applicant to set forth and introduce evidence in that proceeding showing -- justifying those conditions. Then it would be incumbent upon the objectors, be it in the form of an organized group or what have you to come forward and actually introduce evidence to show that there's going to be a traffic problem or just show that something causes a problem. Because it is a quasi-judicial body, I think that the mere vote of a group isn't enough evidence. In other words, if a group doesn't want this project and simply says we voted against it, as a board member I don't know that that meets the standard of proof that they would have. On the other hand, if the group offers evidence and has substantial evidence that would show these things then of course that means a lot and I think you have to respect a large group and a unanimous group. You'd have to respect that as something that there's a legitimate concern and I would note it as such.

Mr. Cohen:

That would be evidence at least of going towards the burden of proof. Not necessarily meeting that burden of proof but it would be some evidence.

Mr. Levine:

That's right.

Mr. Cohen:

I like that description because first of all it's the law but also I think that it is a proper way to go about it in that the applicant for the special exception or the variance has the first burden of proof and I assume it means that I realize we're getting into some legalistic discussion here but it's a legalistic board. If the applicant doesn't satisfy the burden and for example the special exception the burden -- or let's take a variance, the burden that there would be hardship involved which is a hard standard to meet, then he's out of the

box; right? The other side doesn't have to establish its burden.

Mr. Levine:

That is true. Legally that highlights the difference between the special exception and the variance in that I think a variance the applicant really has all of the burden to show hardship. He has to show the five conditions or so that you meet hardship, physical, etc., whereas the special exception is slightly different in that once the applicant meets those conditions then the objectors have a basis to object to that.

Mr. Cohen:

One question that I have always had because I think that there is a belief that economic hardship is not enough to prove hardship under variance and that means if a store owner says "I will make more money if I have a second floor added to my building", and someone refers that as economic hardship, is that enough to satisfy the hardship standard?

Mr. Levine:

No. I suppose if he's says I'm going to go out of business and it's so severe it's going to destroy my business, then in some cases it suggests that may be enough.

Mr. Cohen:

It's not just saying that but you would have to look and see whether that was actually true.

Mr. Levine:

That's right. I would have to weigh, along with my colleagues, we would have to weigh the evidence and if there's two opinions we in the end have to decide whether it was a red light or a green light.

Mr. Cohen:

Are you familiar with the "A1" zone?

Mr. Levine:

Yes.

Mr. Cohen:

Have you done any work?

Mr. Levine:

No, I have not appeared before the Board or represented anybody specifically with "A1" questions but I'm familiar with the general concept.

Mr. Cohen:

The reason I ask -- I'm very confident that you know zoning law. The reason I bring it up though is it is a very important issue in my district with respect to Walnut Street which is an "A1" zone which as you know means an integrated inner mixture of commercial and residential and because it's that it is commercial and residential together it makes for a potentially very tense area and it has specific requirements different from any other zone. Except for some limited uses. Every use that is attempted to be brought forward in an "A1" zone has to come before the Zoning Board and not for a variance or a special exception but just for that use and I'm wondering what principles you would bring to bear in determining whether that use is an appropriate one for that kind of zone.

Mr. Levine:

I guess that there be some synergy, that when you have -- I think the unique aspect about Pittsburgh and part of the reasons that I think -- from an ideological point of view I feel so comfortable serving under with the Mayor is that I think he recognizes that what makes Pittsburgh unique is the interaction of some of its commercial districts with its community. I think it would be a mistake to try to recreate shopping malls in some of these neighborhood districts. I think the East Liberty experience 20 years ago showed why that may be a problem, so I think you have to have that balance. On the other hand, I think barring all development which I think sometimes is the reaction once a group is satisfied and somebody's moved into a house and to bar all development, I think that's not healthy for the ongoing existence in the neighborhood. So what I would say for instance with Walnut Street, certain uses that are already there that are consistent with those uses, that you would see. Obviously some club in a district where there are no other clubs that would be open at 2 A.M. and maybe are in close proximity, that would raise the question.

Mr. Cohen:

One last question, this is obviously a very important position for the City of Pittsburgh and that is in the "A1" Zone again. I'm sure you are aware that there is a requirement that any new development that comes in also has to provide its own parking. Parking has been a lifelong problem in the neighborhood of Shadyside and my personal view is that because so many variances were given to that requirement that helped to

create the severe parking problem that exists there in that neighborhood. I think that the parking problem has really problem if not solved at least ameliorated by the parking agreement that exists there, the parking garage and the permit parking for the neighborhood, but the next decade or so is very, very important and as I said to Mr. Pife, this is our only chance to have this kind of discussion with you and this is not a question so much as it is an encouragement and that is that if variances continue to be granted there then we're going to have a parking problem that is untenable and contribute to the demise of a very, very strong neighborhood. So I would ask that you also abide by the law when it comes to that requirement for "A" zones because right now it's okay and if any more variances are granted, then it's going to make that matter much worse.

Mr. Levine:

Of course we'd have to decide every case on its own merit but I do hear your concerns.

Mr. Cohen:

Thank you for and I thank you for this discussion, it's been an enjoyable one.

Mr. Ferlo:

I know this gentleman, he's a great gentleman, he'll be a great asset on the board. Mr. Cohen asked all my questions.

The Chair:

Thank you. I wish you well.

Mr. Smith:

Just quickly. Dan really grilled you on many of the questions I had. You have a background of community service and working for some of the most prestigious law firms in the city. To me, that gives me a balance to review and believe that you understand not only the letter of the law but the spirit of the law. This is one of the most important boards to development and also resolution of community problems. How will you compensate for those individuals who don't have the legal expertise when you're discussing burden of proof and so forth? What can we do to help those individuals who don't understand? They know there's a problem but how will your board address or your interpretation when you have someone who has a fourth grade education who comes before you who doesn't understand or comprehend how to present this in a legal format before you against a major developer or someone from a prestigious law firm? I want to hear generally how you would help the average

citizen combat or get through this particular system and get everything out?

Mr. Levine:

That is a good question and I think what is taking place before the Board and the reason it's called a quasi-judicial body is that it obtains a body of evidence and that becomes the whole story. Whether there may be other factors outside of that story become irrelevant. That's the story and when it proceeds on an appeal, those are the issues and I think the job of a lawyer is to go to his client and say "Your obligation in presenting the story is to show Points One through Six and the other side's obligation is to show Points Seven through Ten and I think when you don't have a lawyer and you don't have the sophistication to look at the code, that particular individual doesn't know that he must describe and discuss conditions One through Six or Seven through Ten and I think it becomes incumbent upon the Board in that situation to let this individual know that for instance is there any evidence now you're complaining about the traffic concerns or the late night or some other problem -- to develop that with the person. That doesn't mean you become an advocate against the other side but I think you would in effect -- leading questions perhaps and helping that person and by the same token I think any judge in that situation has to a more critical approach to cross-examination of the developer. For instance, if a developer has presented conditions One through Six and the objector has said nothing, I think it's incumbent upon that lawyer and that situation to say, "Let me ask the developer some questions and maybe assume more of an active role than he would otherwise event."

Mr. Smith:

Bingo -- because I have gone down with people who did not under the system and I watched our last board actually do that role. When they realized that the people did not understand how to present their information, they assisted in bringing information -- not changing anything -- but bringing out of these individuals the points that needed to be raised without making individuals feel inferior and that is what I'm looking for. I'm looking for fairness. I'm not looking for a phone call. I'm looking for fairness for each and every individual in the City of Pittsburgh that walks before there. Many cases are just two neighbors who just hate each other, but many times it is individuals who have not been involved in the system who know that it's going to do something to affect their lives but they don't know how to express it but I'm very happy, very content and I see a balance and I will be supporting you.

Mr. Levine:

Thank you very much.

(AT THIS POINT, MS. WILDS CONTINUED STENOTYPING THE MEETING)

(CONTINUED ON NEXT PAGE WITH NO LOSS OF CONTEXT)

MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

My colleagues, I just received a note. Unfortunately, I have to leave to something very important in my district. I am going to turn this over to Council President Ferlo.

But, before I go I want to just make a comment. When you get to the Bill 305, dealing with Cosmos, I represent the area of the City that is mostly affected by the problems with Cosmos, and I want to go on the record right now, after reviewing it for seven days, that I am in full support of filing on as the appeal for this City, and I want to cast my vote early and it will have my vote for the final vote on Tuesday, too, and I think that we should give party to that appeal and try to get as many municipalities as possible, and I will explain my reasons on Tuesday. Thank you.

Mr. Ferlo:

Thank you, Mr. Onorato.

(MR. ONORATO LEAVES THE MEETING, MR. FERLO ASSUMES THE CHAIR)

The Chair:

Mr. Regis D. Murrin, South Linden Avenue, if you could come to the table, please.

Mr. Murrin:

Regis D. Murrin
200 South Linden Avenue
Pittsburgh, PA 15208

Mr. Ferlo, you got it right the first time, not many people do.

The Chair:

There are a few things I get right the first time, but go ahead.

Mr. Murrin:

Good morning, ladies and gentlemen. The weather changed and I have a cold, so I may go raspy as I go on here.

The Chair:

Mr. Murrin, could you just bring your microphone a little bit forward.

Mr. Cohen:

Oh, that is a good quality in a judge anyway, a raspy voice.

Mr. Murrin:

All right. I hope you all have a copy of my resume but I will give a brief summary. That I have been practicing law and living in the City for 30 years, raised a family here. Academically, as you will see from my resume, I rather specialized in zoning and planning and municipal matters, both in law school and in receiving a Master's of Law at Temple, and I had the advantage of spending six or seven years kind of at the feet of David Craig, too, although not to the extent that Cliff Levine did, since I was in his law firm in the early years of my practice.

I am basically here today because as I reach the end of an active law career and begin winding down a number of my colleagues were gracious enough to suggest that my experience and perhaps my knowledge and temperament would suit my serving on the Zoning Board of Adjustment and I certainly appreciated their comments and it really confirmed my feeling about it that I wanted to serve on the Zoning Board of Adjustment. I think I perhaps my major feeling as an attorney sometimes is I have been accused of being too fair and I think in a sense that is the role that one should be playing on the Zoning Board of Adjustment.

And, I think, gentlemen, that is the end of my comments.

The Chair:

Thank you, Mr. Murrin. Now, let's go around the table.
Mr. Ricciardi.

Mr. Ricciardi:

I will pass for right now. Thank you.

The Chair:

Mr. Cusick.

Mr. Cusick:

I would just like to make a few comments.

And, after reading your resume and being very impressed by your background a few things stuck out in my eyes, and I have always looked at people that graduated from the University of Notre Dame as being quite successful and people that are very

committed to whatever job they take on, and not only that, that he does have a -- he also was in the United States Navy, which I also share that with you, and I wish you a lot of luck and I am sure you will be someone that will be fair with all parts of the City when working. I hope that you will take into consideration that there is no one from south of the rivers on the board and it is a concern of mine and I think of my colleagues, Mr. Ricciardi and Mr. Hertzberg, and that you will work with our community groups and with us in utilizing our skills and some of the knowledge that we have of our community in making your decision, I hope that you will.

Mr. Murrin:

I think that as a role of the board members when a matter comes before them should be to visit the site and get a feel for the neighborhood, because if Pittsburgh has a unique strength, it is diverse neighborhoods, and I think that preservation of those is a major role of this board.

Mr. Cusick:

Just as I said, one of the major concerns that I know that I have is not having representation on the board from south of the river, and I hope that as you are confirmed as our Chair, that you will take that into consideration.

Mr. Murrin:

I certainly will.

Mr. Cusick:

Well, thank you very much, Mr. Murrin.

The Chair:

Mr. O'Connor.

Mr. O'Connor:

Just to elaborate that, I am from the East End, and we want to make sure we -- even though we live there, we do not take care of everybody across the river. So, do not forget, you still have the East End to worry about.

Mr. Murrin:

I shall not do that.

Mr. O'Connor:

These guys keep picking on the North Side right now gets everything, you know what I am saying.

Mr. Murrin:

I think I am in Mr. Cohen's district, but I will remember you, too, Mr. O'Connor.

Mr. O'Connor:

Are you involved at all, have you followed the Darlington Road, JCC, JCO projects at all?

Mr. Murrin:

I am aware that it is there, let's put it that way. I first put my hat in the ring for this position probably in October, and quite frankly, I have intentionally not pursued it any further feeling if I was going to be involved in making that decision at all I should do it on the basis of the evidence which comes up at the hearings and not on what I read or hear elsewhere.

Mr. O'Connor:

That is very good, because I feel we are making a lot of progress with the community and the neighborhood -- not only the neighborhood groups, but JCC, JCO, so we -- although the Zoning Board cannot appeal it again and we hope it does not come back, we hope we can resolve it ourselves, so --

Mr. Murrin:

If I might interject something here, too, which I know that the prior nominees thought but it just did not come out in the discussion. My experience, which has not been too great at the Zoning Board in the past, has been that half the time they are attempting to carry out a reconciliation or mediation process and to avoid the confrontation, if possible, and I think that is a major role also of this board.

Mr. O'Connor:

Like joining Council, mediation is half our job, I think.

But, I was certainly impressed with your resume and wish you the best.

Mr. Murrin:

Thank you, sir.

The Chair:

Thank you, Mr. O'Connor. Mr. Hertzberg.

Mr. Hertzberg:

Thank you, Mr. Chair.

Like the other two other candidates, your credentials are really exceptional, and I congratulate you for being nominated.

And, the only question I would ask is the same one I mentioned before and that is concerning the speed at which things happen there at the Zoning Board, I think it is very important.

Mr. Murrin:

Well, hopefully I will have an advantage, as that I would plan the active practice -- to discontinue the active practice of law after this year, that is in December 1994, and my job on the board would be my primary duty thereafter.

Mr. Hertzberg:

Thank you.

The Chair:

Thank you, Mr. Hertzberg. Mr. Cohen.

Mr. Cohen:

Thank you very much, Mr. President.

Mr. Murrin, I also am very impressed with your background, and I think a couple of things that you did not mention but ought to be mentioned, and that is your war record. You were in the United States Navy and served in both Korea and Vietnam, also that you worked in the Kennedy Administration, to my understanding, as the predecessor to the Department of Housing and Urban Development. Those are both very, very fine achievements, and I want to say that I admire and respect that.

I would like to talk just a little bit, as I have with the last two nominees, about your background in zoning and how you would go about being fair, as you said.

And, I am glad to hear that, one, that you also worked with David Craig; as I said before, I am a real admirer of his, he is a giant in this state in this area, and also that if you had a weakness, it would be that you are too fair, but obviously that

is the number one criterion for somebody who is the Chair of the Zoning Board.

Tell me just a little bit, though, about your background in zoning, and perhaps about your current practice and clients?

Mr. Murrin:

I, unlike Cliff Levine, have not been a litigator but I have been basically a real estate practitioner, and that has generally involved either representing developers or maybe public -- or, quasi public bodies, such as Action Housing and Development, in situations, some major, some small, and most of my zoning work has been, shall we say, consulting with other lawyers on a team as to how to structure something in order to achieve a development.

I have appeared before the board, oh, maybe eight or ten times over my entire career, so I know basically how it works. But, it has been generally overall planning as to what is needed, is a variance needed, is a special exception needed, is nothing needed, what are the parking problems, what are the traffic problems, how do we meet this type of difficulty in proceeding with development.

Mr. Cohen:

Tell me about your work with Action Housing, was that a significant --

Mr. Murrin:

It was significant, but it was a long time ago, there is no doubt that, Dan. It was probably the first ten years of my practice at the firm, that was Baskin, Sacks and Craig then, they represented Action Housing, and I kind of became the point man for all of the -- I guess these were really the baby neighborhood associations that started in Pittsburgh, Homewood-Brushton, Bob Pitts, Dick Adams, Jim Cunningham. Those are the people I know. So, I kind of lost touch to that extent. And, I guess maybe Jay Goggin, I do not know. Who was it at Perry Hilltop when it started?

Mr. Cohen:

That was kind of a golden period in terms of organization.

Mr. Murrin:

And, Jay Nepherson was in South Oakland. So, it was a -- it was really a hands-on there, which was very good, that if they had a problem they would call me and we would work it out,

and I attended the neighborhood meetings and see the -- what the problems were and how the organization itself was progressing.

Mr. Cohen:

Do you personally represent clients now that have cases before the Zoning Board, that you know of?

Mr. Murrin:

Do I personally? No. The answer to that is no.

Mr. Cohen:

Let me get into the same issue that I had raised with Mr. Levine, if you would. If you could just address the potential conflict issue. Again, not in any way I would never question your ethics or your firm's, you are at a very, very fine firm, Reed, Smith, Shaw and McClay, but how are you going to deal with conflicts?

Mr. Murrin:

I think one of Cliff's last remarks -- and he and I are good friends -- was that it is not what you do but the appearance of what you do has to be the parameters. So, I have read the City Code and I know the -- I have read the State Code, and I feel that for starters that I should recuse myself from any matter wherein Reed, Smith is representing a party before the board, and further I should recuse myself from any matter by some client who is not represented by Reed, Smith in this matter but who may otherwise be represented by Reed, Smith. That is where you start and you may go further than that, but that is the start.

Mr. Cohen:

Right. And, again, you, of course, would not appear before the Zoning Board, obviously, that probably should not need to be mentioned?

Mr. Murrin:

Oh, absolutely not. Of course not. In fact, I do not think I should appear before the City in any matter that might be a matter of -- a controversial matter.

Mr. Cohen:

Correct. You had mentioned before that -- and I did not quite understand -- what your plans are for the future. Is the Chair of the Zoning Board going to be your sole practice soon, or are you going to continue to have clients?

Mr. Murrin:

Well, that is where this came up. As I said, some of my younger partners knew that I was probably planning to retire or substantially retire at the end of this year, and so I will be in full practice until the end of December 1994, and thereafter I may have a few selective clients but I will no longer be in the full practice of law and, therefore, the Zoning Board can be my primary task.

Mr. Cohen:

Well, I am glad to hear that, I really am, because this will -- as you know, it is an important appointment, and your ability to make it your primary focus would be great for the City of Pittsburgh.

Mr. Murrin:

I know there is a backlog and it has to get rolled out. As Mr. Hertzberg said, I think speed of getting things out is very important. Although I think you have all considered that, this morning, as a matter of fact, I think Mr. Ferlo has, that with three new people on the board there are going to be a few starting pains, I am sure.

Mr. Cohen:

Yes. My fellow Council members are probably not so happy about the speed at which we are getting the nominations confirmed today.

But, let me ask you the same question that I had asked the other two nominees, and that is with respect to neighborhood groups. If a neighborhood group were to come in and say that they have taken a vote and they take one side or another for a proposed zoning change in their neighborhood, how much weight would you give to that?

Mr. Murrin:

Well, let's put it this way, I think the ordinance even hints at it now, if their position is based on the failure of the developer, shall we say, to meet some of the criteria, obviously they should be given great weight. It is not the fact that they are a neighborhood group, but it is the fact that the position they have taken is in keeping with the ordinance, that there is a traffic problem, or there is an adverse change in the neighborhood, et cetera.

Mr. Cohen:

I had spoken earlier with Mr. Fife, talking about my view of special exceptions and variances and how they are, in fact, exceptions from the law, and I wonder if you had heard that and whether you have any thoughts --

Mr. Murrin:

Oh, I heard that and, in fact, Mr. Levine and I had discussed that while you were doing it. I think that he pretty well set forth what my understanding of the law is, too, that there is a shifting burden of proof. A variance is a very, very strict and tight problem and they are, in fact -- in essence, looking at the cases, it is almost impossible to grant a variance, if you get right down to it; however, on the special exception, it is the other shifting burden, and as I think Judge Craig said in a case, that once the grieved party or if the petitioner meets his burden, then unless he runs a file of the parking adverse impact in the neighborhood, et cetera, those problems, then the burden of proof then shifts as against him an order that it has to be granted unless it can be shown that, in fact, there will be an adverse occurrence because of the granting of the special exception.

Mr. Cohen:

Well, I am glad to hear you say that about variance, because I also agree that a hardship is very difficult to prove.

On the special exception part, there is very broad, general language that is used, saying things like, the establishment will not undermine the public, health, safety, morals or general welfare of the community, or that the proposed use would be injurious to the enjoyment of their property. How do you get from that general language into whether or not it is -- the burden of proof is satisfied?

Mr. Murrin:

I think it is definitely a weight of the evidence that we have to use our reason, and that is why we are on the board, to decide the tough cases, the tension between, shall we say, the status quo in the neighborhood and development.

Mr. Cohen:

So, it is a balancing act?

Mr. Murrin:

Yes.

Mr. Cohen:

Mr. Murrin, thank you very much for this discussion. I very much congratulate you on your nomination and want you to know that I will be supporting your nomination for many reasons, not the least of which you are a constituent to District 8 -- no, that is not it. But, I will be supporting it, because I think that you will be fair, and I look forward to your serving the City of Pittsburgh.

Mr. Murrin:

Thank you, Mr. Cohen.

The Chair:

Councilman Smith.

Mr. Smith:

What can I say, one of the most impressive backgrounds presented to us for any board in this City.

You have answered, due to Dan's cross examination -- you have answered many questions, that I am just a simple, common community person, who is fearful of government and feels that it does not always serve the interest of the common man, and I think you have presented yourself that you will be fair and equitable to those of us who do not have the educational background and experience as we present ourselves before you.

Mr. Murrin:

Thank you, sir.

Mr. Smith:

So, I thank you, and I have no questions.

The Chair:

Congratulations, and obviously you have a talented background. I do not like the fact that you work for Reed, Smith, I do not like their union busting law firm that they represent and I hope you disassociate yourself with them as soon as possible.

But, notwithstanding that --

Mr. Murrin:

Yes, I was going to do that, sir, even without your prodding.

The Chair:

I won't refer to their real name, but other than that, I hope you disassociate yourself quickly with them.

But, notwithstanding that, obviously you would be a tremendous asset to the board, and obviously, given your life's skills that you have acquired, I think you would be able to deal with the temperament in terms of the conflict that oftentimes arises in the board with frustrated residents, community groups opposing each other sometimes, community groups opposing a development, and I think you bring a lot of skills that I think will help with the process.

Again, just be fair to all those represented at the board, not just those who have legal representation there. Oftentimes the Chair is called upon to play the role of mediator and to help facilitate some input from people who just do not understand, as Mr. Smith refers to earlier, just do not understand what the process is, and I feel very confident that you are likely the person who is going to very much help put that information out when individuals and groups are before you at the Board of Adjustment.

So, I appreciate your willingness to serve, and, if anything, I think we should thank you also for agreeing to serve, and I think you will be a tremendous asset to the board. And, I will be going around the table here, you will be seeing a lot of us, we all frequently appear before the board and we will have many opportunities in the future to have debates and discussion.

We do not vote at the Committee Meeting Sessions on these appointments. We do have a Recess Meeting and I believe we would be inclined to move along in the Housing Authority appointments, but at this time a number of Council members have asked me for an opportunity to meet individually with some of the Board of Adjustment nominees between now. So, I would like to suggest that later on we vote finally on the Board of Adjustment nominees for the final action this coming Tuesday, so that each member can feel comfortable in their actions.

But, at this time, if there are no other questions of Mr. Murrin, congratulations and thank you.

Mr. Murrin:

Thank you.

The Chair:

Thank you all and thank you for your patience, we had some very important appointments obviously today to consider,

appointments to the Housing Authority, appointments to the Board of Adjustment and it does take time to get through the process.

(END OF COMMENTS)

PREPARED BY: CHERYL L. WILDS
STENOTYPE REPORTER

CITY OF PITTSBURGH

TO Linda M. Johnson - Wasler DEPARTMENT City Clerk
City Clerk
FROM Jacqueline R. Morrow *JR* DEPARTMENT Law
City Solicitor
DATE March 17, 1994
SUBJECT Ordinance Urging Allegheny County to Create a Regional Asset District

As per the request of City Council, the Law Department has reviewed Council Bill No. 287, urging the Board of Commissioners of Allegheny County to adopt an ordinance creating the Allegheny Regional Asset District and to levy the additional one percent (1%) Sales and Use Tax in Allegheny County pursuant to the authority granted by Act 77 of 1993.

Please be advised that Council Bill No. 287 is virtually identical to the model resolution recommended by the Allegheny County Local Government Academy and satisfies the statutory requirements of Act 77 of 1993.

SUBMITTED BY,

Ronald H. Pferdehirt

Ronald H. Pferdehirt
Assistant City Solicitor

RHP:rr

RECEIVED
34 MAR 18 4:54
CITY CLERK
OFFICE

Borough of Avalon

Office of the Mayor

Daniel K. Brimont

640 California Avenue
Avalon, Pennsylvania 15202-2499
Telephone: (412) 761-4747

March 28, 1994

Hon. Jim Ferlo
Council President
518 City County Building
Pittsburgh, PA 15219

In Re: City of Pittsburgh vs. Allegheny Co. Health Dept.
SA 1938 - 93

Hal Hinderliter vs. Allegheny Co. Health Dept.
SA 1958 - 93

Dear Mr. Ferlo,

On behalf of the citizens of Avalon Borough, please accept this letter as a declaration of our interest and support of the positions advanced by the City of Pittsburgh and Mr. Hinderliter in the above referenced actions.

As you are aware, Avalon Borough is a residential community on the North shore of the Ohio River directly adjacent to Neville Island and the Kosmos Cement facility. As Mayor of Avalon I have both a profound interest and a legal duty to protect the health and safety of my constituents.

The public hearing regulations (which have been largely circumvented by the County's conduct in the above matter) are crucial to the development of a complete factual record upon which Health Department Permit Decisions may be rendered. Further the hearing process allows interested communities to understand the ramifications of the industrial conduct at issue. For both of these reasons I request that the City pursue an appeal of SA 1938-93.

I wish I were able to voice support or opposition to the proposed test burn at Kosmos, however myself and my constituents have been denied the public forum to pose questions and concerns -- and receive responses -- to the merits of the test burn. Perhaps the fears of my constituents are unjustified, but we have had no opportunity to assess the risks.

Finally, I submit that it would create a dangerous precedent to allow the County Health Department to circumvent its own regulations requiring a public forum prior to approval of a test burn or similar industrial conduct.

March 28, 1994

P-2

For all of these reasons I request that the City of Pittsburgh pursue an appeal to the Commonwealth Court in the above actions.

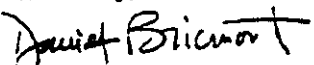
As Mayor (and an attorney), I intend to file a motion in Commonwealth Court for permission to participate as an Amicus Curiae in support of the position advanced by the City of Pittsburgh in the appeal.

As Mayor, I will request that the Council of Avalon Borough pass a resolution supporting the City's position as further evidence of our interest in this matter.

Please convey our concern to Mayor Murphy.

Thank you for your attention.

Sincerely,


Daniel K. Bricmont, Esq.

Mayor of Avalon

cc. Avalon Council

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

April 5, 1994

No. 14

Municipal Record

ONE HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO President
LINDA M. JOHNSON-WASLER ... City Clerk
KURT J. SALAC Asst. City Clerk

Pittsburgh, PA
April 14, 1994

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Darkins	Mr. Smith
Mr. Hertzberg	Mr. Ferlo, Pres.
Mr. O'Connor	

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of

America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. O'Conner presents

NO. 362 WHEREAS, The Champions Association Inc., established in 1974, has served the community of Pittsburgh for twenty years, helping people to help themselves through practice and friendly competition; and,

WHEREAS, The Champions Association Inc.'s philosophy is that "Champions are not born, they are made", through desire, determination and dedication; and,

WHEREAS, The Champions Association Inc., proudly presents The 20th Annual Kenney Durrett Pittsburgh City League All-Star Basketball Games, a competition between The Pittsburgh City League versus The W.P.I.A.L. Top Boys and Girls, and Senior All Stars; and,

WHEREAS, this competitive and exciting event will take place at Allderdice High School. Saturday April 9, 1994, from 9:00 a.m. to 9:00 p.m., and is part of

The Champions' annual efforts to improve the lives of young people.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend The Champions Association Inc. for twenty years of dedication to the people of Pittsburgh, and their annual competitions that raise the confidence, skill and spirits of our youth.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Saturday, April 9, 1994, to be "The Champions Association Inc. Day" in the City of Pittsburgh, and encourages all people to mark this day by attending the 20th Annual Kenney Durrett Basketball Games at Allderdice High School.

The motion was moved and seconded.

Which motion prevailed.

Mr. Smith:

NO. 363 WHEREAS, there are approximately 180 Black attorneys and ten Black judges out of approximately 7,000 registered with the Allegheny County Bar Association; and

WHEREAS, a main purpose of the legal profession is to ensure equal opportunity under the law and that justice be administered equally among individuals; and

WHEREAS, in recent years some 27 state Supreme Courts have established task forces on racial and gender bias to address the lack in requisite skills among judges, lawyers, and law enforcement personnel on ethnic and racial bias issues that result

in a disproportionate number of African Americans in the nation's penal system; and

WHEREAS, to date, Pennsylvania has not joined the ranks of other progressive states to address professional development and training for judges, lawyers, law enforcement personnel, and court employees to address this issue; and

WHEREAS, the Black Law Students Association was organized in 1967 at the University of Pittsburgh with the intent to foster an atmosphere within the law school which is supportive of the needs of Black law students and to initiate, create, and promote active and progressive utilization of the legal progress for the benefit of the Black community; and

WHEREAS, BLSA at the University of Pittsburgh has continued to expand its working relationship with the local community through active participation in several events such as: tutoring high school students, blood drives, voter registration and education, sponsoring annual Moot Court Competition for its Adopt-A-School Program, collecting food and clothing for the homeless; and

WHEREAS, there are gaps between the legal profession and the Black community and BLSA at the University of Pittsburgh is dedicated to locating and filling these gaps with its continued commitment to scholarship and community service;

BE IT RESOLVED that the Council of the City of Pittsburgh does declare Saturday, April 9, 1994 as UNIVERSITY OF PITTSBURGH BLACK LAW STUDENTS ASSOCIATION COMMUNITY

CLINIC DAY to provide free legal assistance by lawyers to the community at the Hill House and Terrace Village in the City of Pittsburgh.

The motion was approved and seconded.

Which motion prevailed.

Mr. Smith:

Thank you gentleman, I think that it is very important that we address these issues. These are young lawyers who are coming through the system, who will learn many of the problems that the community faces, and hopefully will be able to change how the system works as they progress through the law system.

Shakura Sabur:

We are really excited about this, this is not the first time the Black Law students at the University of Pittsburgh has done a free Law Day. It's the first time we've taken the free Law Day to the level that we are taking it this time.

We believe it is real important to have a Drum Major, and have a Drum Major who beats that drum in a very loud way, that says hello America, we're about changing some of the negative stereo types that happen to lawyers. We're about changing some of the bad jokes that goes around about lawyers, because we're the next generation. We're about combining scholarship, and service, and we believe we need to do that by getting lawyers in the community providing those free services to the people.

We thank you, we want you to

all come out there and be with us, it's all day from 10:00 to 7:00. Councilman Smith will be there to read our proclamation to the attendance. We have 20 lawyers who are there, we are going to have a powerful panel at 3:00, and we are expecting a tremendous crowd. We have a done a survey with Metropolitan Tenant Council, people are excited and they are going like, well yea, do this, why havn't you all done it before.

It's no longer the decade for quite action, it's the decade for loud action in a positive way. We say thank you, thank you for concurring this.

I would like to introduce our officers and delegation; Sandra Saunders, who is the Regional Representative for the black law students on a regional level, and she is also with us right here at Pitt. She has been very instrumental, it was one of her vision to have this Law Day move to another level. I'd like to introduce Rosa Copeland, who is the President of the Black Law students, she's a third year student moving out and among the big law firms. She already has a job so that's a rah rah rah, she has been instrumental in moving us forward, and it's her energy that I reflect in a lot of ways. Our Dean, Dean Seeberger at the law school, we are real proud of him, he has been holding the helm while we have been getting a new Dean.

Dean Seeberger:

Well law exists to build and serve communities. law doesn't work unless it gets to communities. I think you can see why I am so very very proud of these students of the University of Pittsburgh School of Law. Why

I am proud of my colleagues at the bar who will be participating in this program, and why I thank you very much for recognizing their efforts. Thank you,

Mr. Darkins:

I want to commend Brother Smith, and the University of Pittsburgh for recognizing our African-American attorney's. When I first was appointed by Milton Shapp as an Administrative Law Judge, when I went down the State and it was all milky white, I called Duquesne Law School, I called Pitt, and I said send me some young black attorney's down here.

I'm going to tell you what I told them. I said I can't let these whitey's have it all, and I meant that. They started sending me students down to do law clerk work. Some of the same students graduated, some of those same black people are lawyers. They learn about workers compensation work. There's a lot of money in that work, 20% the attorney gets of the fees, 20% not just at the hearing, but into the future. There's a lot of money, and my white brothers was gobbling it up, but I changed the system, and that's why the insurance companies went to Thronburg and got rid of me. Because they know that I had changed the system.

Now, with your Councilman Christopher Smith, and Duane Darkins, you need to change the system in the City Law Department. Sister, you go, all of you go down there, and see that sister, because I don't know her. Tom Murphy appointed her as a Solicitor, do you understand where I am coming from, Dean. You tell

them that you got some African-American women that can handle the City of Pittsburgh's business.

The Byrd Brown Bar Association don't know them, some of the rest of the black attorney's in this City don't know her. I want some black City Solicitor's, not Sophie's, but I want them under Tom Murphy's. You understand where I'm coming from, are you all reading me today. All right, and there's plenty of positions open, she done fire around about 20, and they were not black. So let's tell this black sister down here, the Solicitor, to go over here to Pitt, and pick up some of these young women, they should be in there.

I'm going to be here a long time, if any of you think I'm going to die, cast that out. I am going to run for Council again, that's going to definitely happen. You know what, I'm going to win, and I might run for Mayor, I don't know.

The Chair:

I would like Matt Peters and Shawn McIntyre to come forward, from the Mt. Graham coalition. Matt's a student at the University of Pittsburgh, and Shawn a student at the Community College of Allegheny County.

NO. 364 WHEREAS, the Mt. Graham telescope project has elicited great controversy as a result of the project's exemption from the American Indian Religious Freedom Act, the National Historic Preservation Act, the Endangered Species Act and the National Environmental Policy Act; and

WHEREAS, Mt. Graham, located

in southeastern Arizona is a holy place and sacred mountain to the San Carlos Apache, and is considered a living locus of spiritual energy, central to the religious practices and history of the Apache people; and

WHEREAS, Mt. Graham is home to numerous endangered species including the red squirrel, Mexican spotted owl, peregrine falcon and goshawk, and is also home to the federally protected Apache trout; and

WHEREAS, any permanent modification of the present form of Mt. Graham constitutes a display of profound disrespect for the San Carlos Apache as well as a serious threat to the survival of a number of endangered species; and

WHEREAS, the University of Pittsburgh is considering investing \$15 million in the Mt. Graham telescope project, sponsored by the University of Arizona, which was originally supported by the Smithsonian Institution, the National Aeronautics and Space Administration, Harvard University, Michigan State University, and numerous other universities as well as the Association of Universities for Research in Astronomy, made up of 22 universities including Yale, California Institute of Technology and MIT; and

WHEREAS, all the aforementioned universities associations and institutions have withdrawn their participation in the University of Arizona's Mt. Graham telescope project, primarily because of environmental problems and the religious and cultural value of the mountain to

the San Carlos Apache; and

WHEREAS, the Mt. Graham telescope project is opposed by countless Native American and environmental organizations including the National Congress of American Indians, the Native American Rights Fund, the National Tribal Environmental Council, the Sierra Club, the National Audubon Society, the National Wildlife Federation, and Greenpeace; and

WHEREAS, the University of Pittsburgh's involvement in this project tarnishes the image of the Pittsburgh community and \$15 million could be put to wiser uses enhancing the Pittsburgh economy.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, hereby strongly opposes any involvement by the University of Pittsburgh in the Mount Graham telescope project; and

BE IT FURTHER RESOLVED by the Council of the the City of Pittsburgh that the Clerk, City of Pittsburgh, is directed to transmit a copy of this resolution to the Chancellor and the Board of Trustees of the University of Pittsburgh.

Mr. Hertzberg:

I don't know, it could be perfectly correct and everything in all senses, but I am just walking in here reading this, advising the University of Pittsburgh, my Alma Mater, the Dean of the Law School just walked out, and I really don't know to much about it. So I am going to have to abstain.

Mr. Cohen:

With all due respect Mr. President, I think you bring up some important issues here. I just am not, and you came to me before the meeting and I appreciate that. I'm just not familiar with the issue, so I will have to abstain today, but will certainly familiarize myself with this issue.

AYES:

Mr. Cusick
Mr. Darkins
Mr. Ricciardi
Mr. Smith
Mr. Ferlo. (Pres't.)

NOES:

ABSTAIN:

Mr. Cohen
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato

AYES: 5 NOES: None
ABSTAIN: 4

The motion was approved and seconded.

Which motion prevailed.

The Chair:

I think the point is well taken. I am sure the representatives from the coalition as well as others from the American Indian movement locally would be available to Council to further explain the actions.

I think the resolution is self explanatory. There are any number of locations, not only in the State of Arizona but elsewhere where such an economic and science

project at this telescope could be constructed and erected, without the result in environmental and religious concerns that are raised in the resolution. That is specifically in Mt. Graham.

I think the resolution is self explanatory, all of the major University communities that had originally embraced this project, have in fact withdrawn their support in light of the concerns raised not only by the American Indians, but by environmentalist. So again I would encourage the University of Pittsburgh to assess the appraisal of its support for the Mt. Graham, and direct their concerns to possibly other locations that would not be environmentally a problem as well as disrespectful of the rights of the Apache rights.

At this time I would like to ask some of the student representatives to speak briefly, and further explain the resolution.

Matt Peters:

I lived in this City eleven years, I am a student at the University of Pittsburgh, studying Anthropology. I am very proud to stand before you all this morning and thank you for your support on this important issue. I understand that there are a lot of questions, and I would like to make myself available to those of you, if any one needs to ask me anything. The support of this mountain is important, it's more than an issue of endangered species. It's more than a squirrel versus a telescope, it's more than Apache's versus Astronomy.

The scientific community has

spoken out, and has not chosen to support this particular scientific investment. That's very important, I am not an astronomer and I don't know how they based their decision. But, when NASA, and the Smithsonian, Harvard and Yale all come out and oppose this telescope project, it means a lot to me, as a student at a University who is considering investing 15 million dollars in this.

I am very proud to have the support of City Council on this today. You have made a stand this morning to support the trees and rocks of Mt. Graham. You have made a stand for the squirrels and bears who cannot vote. I thank you very much.

Mr. Cohen presented

No.365 Resolution providing for an Agreement or Agreements for the purchase of an earth station for the Emergency Operations Center and providing for the payment thereof. The total cost shall not to exceed Fourteen Thousand Six Hundred and Five Dollars (\$14,605.00) chargeable to and payable from Code Account PEMATF, Index Code 253161, Department of Public Safety, Emergency Operations Center.

Also,

No.366 Resolution providing for an Agreement or Agreements with the Pittsburgh Mediation Center for professional services at a cost not to exceed Twenty Thousand Dollars (\$20,000), and providing for the payment of the cost thereof, chargeable to and payable from Code Account 1401, Index Code 140103, Miscellaneous Services, Bureau of Administration, Department of Public Safety.

Which were severally read and referred to the Committee on Public Safety.

Also,

No.367 Resolution providing for a contract or contracts to purchase an automated telephone dialing system for the Emergency Operations Center and providing for the payment thereof, chargeable to payable from PEMATF, Index Code 253161, Department of Public Safety, Emergency Operations Center, cost not to exceed (\$12,000.00).

Which was read and referred to the Committee on General Services.

Mr. Darkins presented

No.368 Resolution providing for a Contract or Contracts, or the use of existing Contracts for public sidewalk construction at various locations within the City of Pittsburgh and providing for the payment of the cost thereof, at a cost not to exceed Seventy Five Thousand (\$75,000.00), chargeable to and payable from Code Account 3-01-30-0045-94, Public Property Sidewalk Program, Index Code 875328.

Also,

No.369 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division, and providing for the payment of the cost thereof, at a cost not to exceed Four Hundred Thousand (\$400,000.00) Dollars, chargeable to and payable from Code Account 3-01-35-0001-94, Capital Construction Division, Index Code 875419.

Also.

No.370 Resolution granting unto Richard and Hannah Grace with an address at 4152 Saline Street, Pittsburgh, Pennsylvania 15217, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a fence on a portion of Saline Street and Lilac Street in the 15th Ward, 5th Council District of the City of Pittsburgh.

Also.

No.371 Resolution vacating Arcola Way between Voskamp Street and Welser Way in the 24th Ward, 1st Council District of the City of Pittsburgh. The petitioner, Spring garden Neighborhood Council Inc., 114 Spring Garden Avenue, Pittsburgh, Pennsylvania 15212, has requested this vacation for expansion purposes.---(COUNCIL DISTRICT NO. 1)

Also.

No.372 Resolution vacating a portion of unnamed Way between Glen Mawr Avenue and Bostwick Street in the 20th Ward, 2nd Council District of the City of Pittsburgh. The petitioners Sam and Mary Jo DiFloria 3319 Glen Mawr Avenue, Pittsburgh, Pennsylvania 15204, has requested this vacation for expansion purposes.---(COUNCIL DISTRICT NO. 2)

Which were severally read and referred to the Committee on Public Works.

Mr. Hertzberg presented

No.373 Resolution authorizing the issuance of a warrant in favor of the Carnegie Library of

Pittsburgh, in the amount of One Thousand Forty Dollars and Sixty Three Cents (\$1,040.63), in payment for utility costs for the Sheraden Senior Citizens Center, for the benefit of the City without previous authority of law, said payment shall be chargeable to and payable from Code Account 1803, Utilities, Index Code 180307, in the Department of Parks and Recreation.

Also.

No.374 Resolution authorizing a transfer in the amount of \$243,374.00 from Code Account 1843, (184309), Senior Citizens Program to Code Account SCPTF (254250), Senior Citizens Program Trust Fund in the Department of Parks and Recreation. This transfer is necessary to enable the Department to pay rents and salaries in connection with the senior citizens program.

Which were severally read and referred to the Committee on Finance.

Also.

No.375 Resolution authorizing the City to enter into a Lease or Leases and/or License Agreement or License Agreements and/or Management Agreement or Management Agreements for the purpose of Senior Centers. The total cost of such agreements shall not exceed \$193,374.00 and shall be paid from the Senior Citizens Program Trust Fund (SCPTF), Index Code 254250.

Also.

No.376 Resolution providing for a license to Duquesne Light Company for the installation, use, operation, maintenance, repair, renewal and finally, removal of an

overhead electrical system on certain property of the City (Schenley Park) situate in the 14th Ward designated as Block 27-S, Lot 150, in connection with a relocation request made by the City.

Also,

No.377 Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to grant a license, in form approved by the City Solicitor, on behalf of the City to the Allegheny County Sanitary Authority for the construction of a sewer interceptor through a portion of Highland Park.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Onorato presented

No.378 Resolution providing for the issuance of a \$1,000.00 warrant in favor of Health Management, Inc. in settlement of claim for property damage, chargeable to and payable from Code Account No. 46, Judgments, Index Code No. 004606.

Also,

No.379 Resolution providing for the issuance of a \$1000.00 warrant in favor of Landand Company for property damage, charging the same to Code Account No. 46, Judgments, Index Code No. 004606.

Also,

No.380 Resolution authorizing and directing the City Controller to create a special trust fund, to be designated the Youth Initiative Trust Fund (YITF), for the deposit

of donations, grants, and other monies from public and private sources for the Office of the Mayor to undertake various youth initiatives.

Also,

No.381 Communication from Barbara M. Parees, Director, Dept. of Personnel and Civil Service, requesting approval for John Turyan, (a non-city employee), Chair, Pittsburgh Private Industry Council (PIC), to travel to Dearborn, Michigan April 22, through April 24, 1994 to attend the Board of Directors Meeting for the National Assoc. of Private Industry Council. Total Cost not to exceed \$1,251.00 chargeable to and payable from the JTPA-1 Trust Fund.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No.382 Resolution authorizing the City of Pittsburgh to enter into cooperative agreements with Allegheny County for the purpose of jointly cooperating in the exercise or performance of governmental functions and responsibilities in the areas of, but not limited to, Public Works, Economic Development, Administrative/Financial, Public Safety, Information Planning Systems, and Purchasing.---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

The Chair:

We have not yet received a response, we are still seeking to

meet with the Mayor per Council's request last week re Mr. Gaetano and the Sports Federation. Hopefully by the end of the week we can move along with that meeting

Mr. Darkins.

How come the Mayor has not responded, we have to have a respond. As I sat in the hospital and watched you all here in Council, I'm ashamed of you, and let me tell you why. Your just as much a man as Tom Murphy, your just as much a representative in this town, because your elected officials. They didn't like what I said on election night, but I'm going to repeat my self today to you. Every last one of you that's sitting here.

] Don't make no back room deals with the Mayor, or with the so called Deputy. Don't make no back room deals with them now, cause it's going to catch you. You're going to be in bad shape after awhile. Everyone will be saying Duane Darkins said that. Don't make no back room deals. I really feel strongly Mr. President, I admire you for your posture and your stand, and I am saying to my colleagues on Council, the same people that voted the Mayor in, look out now, you got to go back to them and they've got to vote you in.

I'm home on cable T.V. and I'm watching Jimmy Ferlo tell you, you got to do as I am telling you to do. He didn't ask you can I have your vote, he said you've got to vote on me and the Mayor. You all sat here and didn't even think what you were doing. You voted because he says you got to do it because it's me and the Mayor. The hell with that, you've got to

vote because it's you. We got to start saying were going to send a letter to the Mayor's office, if you don't like the appointment, you send a letter back saying send some more names over, that what you do.

Mr. Ferlo, I'm not being a bitch, I just want to say your are doing a good job. That's all.

REPORTS OF COMMITTEES

Mr. Onorato presented.

Bill No. 382

Report of the Committee of Finance for March 30, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 315

A Resolution entitled, "Resolution providing for the issuance of a \$800.00 warrant in favor of Craig and Thistle Elias in settlement of claim for sidewalk damage, charging the same to Code Account No. 46, Judgments."

Which was read.

Also,

Bill No. 316

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$5,000 to Josephine Jackson c/o Stanley V. Ostrow, Esquire, Tucker Arenburg, P.C. 1500 One PPG Place, Pittsburgh, PA 15222 in full and final settlement of first-party

benefits for an alleged accident involving a City Police Vehicle and Ms. Jackson at the intersection of Liberty Avenue and 6th Street in the City of Pittsburgh on or about February 21, 1993."

Which was read.

Also,

Bill No. 381

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carnegie Institute, 4400 Forbes Avenue, Pittsburgh, PA 15213, in the amount of \$575,000 in payment of the Community Service Contract as authorized by Resolution 1453, effective January 1, 1994, approving the Operating budget for 1994, from Code Account 86, Index Code 008607. Carnegie Institute."---(SPONSORED BY MR. ONORATO)

Which was read.

Also,

Bill No. 319

A Resolution entitled, "Resolution transferring the amount of \$575,000 from Code Account 10, Index Code 001008, Accounts Payable. Prior Years. to Code Account 86, Index Code 008607, Carnegie Institute, chargeable to and payable from Code Account 10, Index Code 001008, Accounts Payable Prior Years to Code Account 86, Index Code 008607. Carnegie Institute."---(SPONSORED BY MR. ONORATO)

Which was read.

Also,

Bill No. 320

A Resolution entitled, "Resolution authorizing the Director of Finance, City of Pittsburgh and the Treasurer, Allegheny County to enter into an agreement to share information relating to property located in the City of Pittsburgh on a monthly basis. This agreement is part of the City/County cooperative services program."

Which was read.

Also,

Bill No. 321

A Resolution entitled, "Resolution repealing Resolution No. 80, Item C, effective February 16, 1993, authorizing the sale of property in the 13th ward of the City of Pittsburgh, in accordance with the Act No. 171 of 1984."

Which was read.

Also,

Bill No. 322

A Resolution entitled, "Resolution repealing Resolution No. 386, Item D, approved on April 29, 1993, authorizing the sale of property in the 18th ward of the City of Pittsburgh in accordance with the Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question? "Shall the bills pass finally?"

Mr. Cohen:

On the bills No. 318 and 319 regarding the Carnegie Institute, I just want to commend Council for being able to come forward with this money for the Carnegie Institute. Of course this was from the budget year last year. I think a lot of people do not realize still that Mr. Carnegie did not endow the Library for operations for the future. He did of course build the Library but did not endow it for operations.

I just want to take this opportunity to reiterate that the City did give 5.4 million dollars to Carnegie Library, plus I believe an extra 300,000 for capital improvement. I think that's an important contribution to the whole Carnegie system.

Mr. Darkins:

I once served on this board as a token. It was of my own doings that I wanted to be in removed from the Board. Today I will be in compliance voting for what their asking from the City of Pittsburgh.

But I declare before God, next year I will be on them like white on rice, because they are not doing their equal share to the African-American community. It was of my own choosing that I removed myself from the Board, I can't stand being with a bunch of phoneyes, that don't mean what they are saying. So today I'm supporting because I am in compliance with my colleagues here on Council. I see things a little differently so next year. I don't care how much they come before us, Mr. President if you're President, I'll be a holy terror, believe me.

The Chair:

Any other comments.

The ayes and noes were taken agreeably to law, and were:

AYES:

Bill No. 315

Mr. Cohen
Mr. Cusick
Mr. Darkins
Mr. Hertzberg
Mr. Onorato
Mr. Ricciardi
Mr. Smith
Mr. Ferlo, (Pres't.)

ABSTAIN:

Mr. O'Connor

AYES: 8 NOES: none
ABSTAIN 1

All other Bills

AYES: 9 NOES: none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Smith presented.

Bill No. 383

Report of the Committee on Planning, Housing & Development for March 30, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 324

A Resolution entitled, "Resolution approving execution of

Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the below-listed Redeveloper for the sale of the following property for \$100.00 as per the property management and maintenance program (PMMP SIDEYARD SALE)---(COUNCIL DISTRICT NO. 3)"

Which was read.

Also,

Bill No. 325

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Susan Mitchell for the sale of Block 175C Lot 21 in the Thirteen Ward of the City of Pittsburgh (REARYARD)---(COUNCIL DISTRICT NO. 9)"

Which was read.

Also,

Bill No. 326

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Hill Community Development Corporation for the sale of Block 9M Lots 159-1, 159-2, 159-3, 159-4, 159-5, 159-6 and 159-7 in the Third Ward of the City of Pittsburgh (RESIDENTIAL CONSTRUCTION)---COUNCIL DISTRICT NO. 6)"

Which was read.

Also,

Bill No. 327

A Resolution entitled,

"Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the below-listed Redevelopers for the sale of the following properties for \$1.00 per lot as per the property management and maintenance program (PMMP SIDEYARD SALE)---(COUNCIL DISTRICT NO. 7 AND 9)"

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Bill No. 326

AYES:

Mr. Cohen
Mr. Cusick
Mr. Darkins
Mr. Hertzberg
Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Ferlo, (Pres't.)

ABSTAIN:

Mr. Smith

AYES: 8

NOES: None

ABSTAIN: 1

All other Bills

AYES: 9

NOES: None

Any a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ricciardi.

Colleagues I think we have all made it a top priority here, the Public Safety Department, and we've obviously supported it in 1994 at a tune of \$117 million dollars out of the \$345 million dollar budget.

I believe we all believe each component of Public Safety is so important, that is Police, Fire, Paramedics, and Building Inspection. The Paramedics have been honored in these Chambers several times, and have a great track record. Either we have experienced them directly or indirectly in our neighborhoods.

Some numbers that have come to my attention that I have some concern about is that out of a total employment of 150 people, it has come to my attention that 48 paramedics have taken the last police test, and 40 have take the firefighters test. Now obviously I support people wanting to change careers, but that sends a red flag out of a possible mass exodus of our paramedics from the ranks.

I have shared this information with Mr. Cohen, who Chair's the Department of Public Safety, and I am aware that he has had several meetings with the paramedics beginning in 1994, trying to see why there's any dissatisfaction in being a paramedic. I have also talked to Mr. Cohen that I believe we have to take it a step further and let's talk about the numbers and have a formal meeting with the Mayor's office.

My concern is that if the paramedics want to switch careers

they should have every opportunity to, but if they are switching careers because there's a problem, either with the pay scale or working conditions, then we should address that. Also, if they are switching careers we need to be ready, meaning that if 48 or 50 paramedics, 1/3 of the force leaves, we have to be ready to fill those ranks.

Again, I am just bringing this up for the information of my colleagues, and I want to thank Mr. Cohen for the work he has done, and the commitment he has also given me in stepping this up, talking with the Mayor's office and see why this number of paramedics want to leave the ranks.

Mr. Cohen:

I just want to support Mr. Ricciardi in the initiative he has taken here this morning. I agree with him that it is something that we need to sit down with the administration about formally, and to look into the conditions involved. I think of course the major reason is money, the salary level and benefits, but there are also other conditions that exist within the paramedics that need to be addressed.

I look forward to working with him and the administration to get at those issues and solve them as soon as possible.

Mr. Onorato:

I just want to give a follow up on what was in the paper today, dealing with issue of the boot camps. You might remember in November or December of last year, I introduced legislation which this, or the previous council

unanimously supported, for our Department of Public Safety to put together a plan for the City of Pittsburgh, and to come back within six months. I know we went through a change of administration and I would hope that the current administration, I'm sure that they will, will follow up on the plan.

In the mean time I have been dealing with the County, and Mr. Daugerdas from the Juvenile Court system. He's been keeping me posted, I told him I would keep this body posted on what the County is doing with the boot camp program.

Obviously we're part of the County, and whatever is best for the City and the County I am sure we would support. I am happy to report they opened a boot camp yesterday, which is sub contracted out with Vision Quest. It's a military style boot camp, with military training, but there's is also an educational component, which I think is the best type of boot camp. They don't just stress discipline they stress both discipline and an educational component. This boot camp is dealing strictly with juvenile offenders.

You read about boot camps and are they really successful, one of the problems with some of them across the country is there was no follow up. This boot camp will have follow up, when the individuals complete the program, a 90 day program, they will then be required to return for a weekend once a month or however frequent it might be, but they will return like a reserve unit. They go back and there will be check up and follow up from the facility. That didn't exist in other boot camps, and it appeared

when they left the facility some individuals would go back to the same environment they came from, and fall right back into the same traps.

At least we have some supervising, some counseling that follows after that. It appears it has been successful in other areas, so I think they are taking the best of both worlds and I hope this is the first of many of alternative sentencing. We all know the problems that are taking place at the Shuman Center. Also I don't think anyone here would want to see juvenile's locked up forever and not try to rehabilitate at all. This I see as a rehabilitation program, it teaches the individual to respect authority, at the same time we recognize there is an educational component.

I hope it is successful and that the City moves forward on developing our plan. That plan might be just to expand and fight with the County on these types of programs. Not to develop our own, but just to look at the issue and continue to discuss alternative sentencing for juveniles because we have an increase in juvenile crime that didn't exist 15 or 20 years ago, and we have to deal with that.

Mr. Cohen:

On another Public Safety matter, there was a story in the Pittsburgh Tribune Review this morning about police overtime, and a memorandum Mr. Rowan Miranda the Budget Director, sent to Chief Buford about the overtime in the Police Department. Apparently based on that article, 19% of all police overtime that was budgeted for 1994 was already spent in

January and February of this year. At that rate, by my calculations, if it continues at that rate we will spend 7.8 million dollars on police overtime, whereas only 6.9 million was budgeted. Which means an excess of 1.3 million dollars. I would like to ask this Council to send a letter to Mr. Rowan Miranda asking him to provide us with a breakdown of that police overtime over the first two months. Also a letter to Chief Buford asking him to respond to it. I think that we really should get his opinion as to why this happened, and whether in fact it's necessary. That may well be the case and if so we are going to have to come up with that extra money.

Finally, with respect to Chief Buford is to ask him what the status is of the federal money that we're supposed to be getting for police officers. If we budgeted for 27 police officers to be paid for with federal dollars, and if that does come through that will certainly relieve us of some of these overtime expenses. If it doesn't then of course it will be an even bigger strain. So I would like to send a letter to Mr. Rowan Miranda asking for a breakdown of the police overtime, and then to Chief Buford just to respond to those overtime figures.

The Chair:

I would ask specifically that there be a break down on vascar and court overtime.

The Chair moved to approve the Minutes.

Mr. Cohen seconded the motion.
Which motion prevailed.

And on the motion of Mr. Ferlo
Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

April 12, 1994

No. 15

Municipal Record

ONE HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO President
LINDA M. JOHNSON-WASLER ... City Clerk
KURT J. SALAC Asst.
City Clerk

Pittsburgh, PA
April 12, 1994

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo, Pres.

ABSENT:

Mr. Darkins

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

The Chair:

We are very honored this morning to have two students from

the Dillworth School on Stanton Avenue. Joe Puzio the Principal is here, and our two students are Kasey Zimmick and Leonard Franklin. We really appreciate them coming down.

Kasey Zimmick and Leonard Franklin:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Thank you Kasey and Leonard, we are very honored that you came down here today to lead us in the Pledge of Allegiance. Say hello to the students back at Dillworth.

Before we move into the read and adopted resolutions, I recognize we have many guests in the audience.

Under the Municipal Code and City Charter, Council does have an obligation to swear in the Assistant City Clerk. We had a pleasurable ceremony a few weeks ago, when we appointed our long standing Assistant City Clerk Linda Johnson as now the official clerk. Now we have to give the oath of office for our Assistant City Clerk, and that is Mr. Kurt Salac.

I will come down and give the Oath of Office. Please raise your right hand.

Kurt Salac:

I, Kurt Salac, do solemnly swear that I will support the constitution of the United States, and of this state, and of the Charter of the City of Pittsburgh, and that I will faithfully discharge the duties of office to the best of my ability.

The Chair:

Do you so swear.

Mr. Salac:

I do.

Mr. President. Members of Council. Mrs. Johnson-Wasler, flowery speeches have never been my forte. We have a long agenda so this will be brief.

I'm glad to be back in Pittsburgh, and I am honored to serve as a representative of your Council. I greatly appreciate the confidence you have all shown in me today by appointing me to the position of Assistant City Clerk. Looking forward to working with all of you, and it's great to see familiar faces around, well not all of them maybe, but most of them. Thanks again, appreciate it.

The Chair:

Again I see many co-workers and former co-workers, and friends of Kurt's, I want to thank you all for coming out today. We have the Honorable Michael Lamb, the Deputy Prothonotary of Allegheny County.

Kurt is being a little bit shy

he previously, until just a few months ago, was the Budget Director of City Council. He has a long standing track record and excellent performance in City Hall, City Government and City Council in particular. We're very appreciative of him returning, he is a good leader, and I think he will work well with the staff, he will work well to serve the public, and the needs of this City Council. We wish him well, and we wish all the staff continued hard work.

PRESENTATIONS

Mr. Cusick for Mr. Darkins presents

No. 384 WHEREAS, On April 11, 1994, The NAACP of Pittsburgh will celebrate their 40th anniversary of the Human Rights Dinner, which began in 1954 under the leadership of Mrs. Wilhelmina Byrd Brown; and

WHEREAS, Mal Goode will be honored by receiving one of the highest awards, The Homer S. Brown Award; and

WHEREAS, Mr. Derrick Bell, author of several publications, one of which is "Race, Racism and American Law," will be this years guest speaker. Mr. Bell is also a professor at New York University Law School, New York, New York; and

WHEREAS, we also salute the President of the Pittsburgh Chapter of the NAACP, Reverend Thomas E. Smith, along with the entire Executive Board Members for their ongoing strive for Civil Rights.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF PITTSBURGH recognizes April 11,

1994 as NAACP DAY in the City of Pittsburgh.

The resolution was approved and seconded.

Which motion prevailed.

Mr. Darkins presents

No. 385 WHEREAS, On April 8, 1994, Hand In Hand, Inc. will hold its 23rd Annual Scholarship Banquet honoring the life and memory of Dr. Martin Luther King, Jr.; and

WHEREAS, Hand In Hand will recognize William Baker, Owner of Bakers Dairy; Archie D. Perrin, Principal of Duquesne High School and Pastor of Macedonia Baptist Church in Duquesne, PA; Wesley W. Von Schack, President and CEO, Duquesne Light Company; Eugene F. Connelly, Executive VP and CEO of Sheraton Station Square; Donna Proctor, Director of Evaluation, Quality Care Family Health Council; and Elmer A. McClung, County of Allegheny Executive Assistant to Commissioner Larry Dunn; and

WHEREAS, additionally, Hand In Hand will give honor to the winners of "I Too Have A Dream" essay contest: Rashida A. Patterson, Carrick High School; Amy Maraney, Bethel Park High School; Stephanie Contey, Westinghouse High School; and Paris Ware, Perry Traditional High School

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, hereby commends National President, Alfreda L. Tyson, for her dedication, devotion and love; and

BE IT FURTHER RESOLVED, that the Council congratulates the 1994 Hand In Hand Honorees for their

contributions to community service which helps to keep the dream alive.

The resolution was approved and seconded.

Which motion prevailed.

Mr. O'Connor presents

No. 386 WHEREAS, The Champions Association Inc., established in 1974, has served the community of Pittsburgh for twenty years, helping people to help themselves through practice and friendly competition; and,

WHEREAS, The Champions Association Inc.'s philosophy is that "Champions are not born, they are made", through desire, determination and dedication; and,

WHEREAS, The Champions Association Inc., proudly presents The 20th Annual Kenney Durrett Pittsburgh City League All-Star Basketball Games, a competition between The Pittsburgh City League versus The W.P.I.A.L. Top Boys and Girls, and Senior All Stars; and,

WHEREAS, this competitive and exciting event will take place at Allderdice High School, Saturday April 9, 1994, from 9:00 a.m. to 9:00 p.m., and is part of The Champions' annual efforts to improve the lives of young people.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend The Champions Association Inc. for twenty years of dedication to the people of Pittsburgh, and their annual competitions that raise the confidence, skill and spirits of our youth.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Saturday, April 9, 1994, to be "The Champions Association Inc. Day" in the City of Pittsburgh, and encourages all people to mark this day by attending the 20th Annual Kenney Durrett Basketball Games at Allderdice High School.

The resolution was approved and seconded.

Which motion prevailed.

Mr. Neal:

First of all I would like to thank the late Mayor Richard Caliguiri for helping to move us towards city government years ago. Also on behalf of several people I'd like to acknowledge certainly Rev. Duane Darkins, Jack Wagner, Bob O'Connor, President Jim Ferlo, the Mayor's Office and City Council.

On behalf of our Board of Directors and Executive staff, the Chairman of our Board Ron Carter, our Vice Chairman Dwayne Woodruff, and our executive staff who are here today, Mike Nichols the Director of the Connie Hawkins Basketball League, who as a matter of fact was a young middle school student when he first came to our program, and is now the director of one of the nations top ten basketball leagues. Leslie Goodman who is the Director of our Truly Yours Models, Mary Ellen Poellnitz who is our Deputy Director and Social Activities Director. My mother Delores Neal, my wife Darlene Neal.

I would like to thank the City of Pittsburgh for all the support we have been given over the years. We would like to think

that in 20 years we have made some difference in what has gone on in this city.

Just one negative if I will, this past Saturday at Allderdice High School we entertained 120 of the top high school athletes in the City of Pittsburgh. We brought home 25 of the greatest basketball legends including Kenny Durettt, from all over the country to participate in this program. Ron Carter from Los Angeles, Sam Clancey from Cleveland, some 25 great great former athletes. We had over 2,000 in attendance and over 500 youth involved, and we were unable to get a television camera to cover that event. So I would like to take this time to at least say thank you to the City of Pittsburgh and City Council for acknowledging what we think was a great effort.

A word about Kenny Durrett, 1966 for those who don't know, Kenny Durrett led Schenley High School to the City of Pittsburgh's first state championship. The first ever, many have come since then, the word legend is bantered about pretty often, but in this case it is truly deserved. Since that time Kenny Durrett went on to become an All American at LaSalle and play 7 great years of professional basketball. But more importantly Kenny Durrett has come back home. He has come back home to give something back, they way he received it, and I can't say enough about Kenny Durrett and Connie Hawkins two ex pros that have given a great deal to the people of Pittsburgh and to the City of Pittsburgh.

They should be recognized as true champions, professionals that come back and not only give of their time and their money, but of

their heart. These guys have made a difference of the youth in our community. I offer to City Council and the Mayor's Office, we can do this another 20 years with your support. Thank you very much.

Mr. Durrett:

Well I would just like to thank everybody involved, especially Bill, he tends to talk about me a little bit more than I tend to talk about myself. It's been a pleasure, I feel you have to give something back. Right now they way the youth is going and what's happening in our communities I just think that we all have to do our share.

I am trying to do as much as I can, right now I work for the YMCA, the East End Youth Outreach Program, we're trying to do a lot of things in different communities. This is just one part of it.

As Bill said the Champions Association has been around a long time, and they have been doing a lot of good things. We need that support, we can't do it ourselves, we need everybody to chip in.

Mr. O'Connor:

Bill I would just like to say one more thing. I had a restaurant in Oakland and spent a lot of time in Oakland, Schenley Park, and these guys are really out there in the community, whether it be in the neighborhoods, raising money or helping children. It was a great tournament, a great turnout. It's people like you who are going to make a difference in the City.

The Chair:

I want to especially recognize Mike Nichols who is here today, he's working with the group and is our own City Public Works employee. He's one hard working individual out in the community. We especially want to recognize his support with appreciation.

Mr. O'Connor presents.

No. 387 WHEREAS, countless individuals must deal daily with health problems that can limit their ability to function as independent and productive citizens; and,

WHEREAS, occupational therapists and occupational therapy assistants are specialists in adapting tools, tasks, and environments to promote independence, and aid individuals of all ages in achieving their greatest possible functional capabilities; and,

WHEREAS, Duquesne University and the Rangos School of Health Sciences, under Dean Jerome Martin, recognizes the importance of occupational therapy for improving the lives of many people, and founded a new Occupational Therapy Program in 1992; and,

WHEREAS, Duquesne University will conduct school tours April 13, 1994 as part of their Open House, showing visitors the Occupational Therapy Department facilities and displays; and,

WHEREAS, Patricia Crist, Chairperson of the Occupational Therapy Department, will proudly watch the first class of this program graduate in the Spring of 1994.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Duquesne University for its recognition of this important field.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the month of April, 1994, as "Occupational Therapy Month" in the City of Pittsburgh, and does encourage all citizens to join in recognition of this significant occasion.

The Resolution was moved and seconded.

Which motion prevailed.

Mr. O'Connor:

I know there is a great need for this vocation and training, and I know Mr. DePaolo who is a good friend of mine, he tired very hard and he's a man of the year of Greenfield, we're very proud of him being in this program. I understand the first graduating class will be in the spring, and tomorrow you have a big open house, maybe you can tell us about it and welcome everybody and invite them here.

Patricia Christ:

Councilman Bob O'Connor and members of the City Council, we are extremely pleased to be able to accept this proclamation on behalf of the occupational therapists who serve the City. We currently number in this area only 700 and about 50,000 nation wide. As you know, we go into managed care, we are very diligent to try to serve not only the needs of those peoples who were in the hospital environments, but more

importantly to improve the quality of life of the citizens of the Pittsburgh area who will be living in the community.

As an occupational therapist I am very proud to be able to serve the Pittsburgh community, and have the honor to open the new program at Duquesne University. We will be dedicated both as a faculty and as students to serving the research, clinical needs related to community services, and the leadership that we hope to go forward in the future.

I myself cannot claim all the pride that I have in the Duquesne program, Dean Jerry Martin has joined me, and has put an exceptional school of health sciences on campus at Duquesne, and represents very similar goals as the ones we present to you today. More importantly we are only as good as those students that will graduate in 1994. The student group which is here today, is an exceptional group of students who are bringing us forward not only as a profession but we look forward to the services they will provide in the community.

I'd like to introduce briefly Scott Alexander, who is the President of our student OT Association, and who is instrumental in bringing the President of our National Society here last week to spend all day with the Pittsburgh areas OT's, talking about health care reform, and the group that has been instrumental in our open house tomorrow.

Scott Alexander:

I just want to say that the students at Duquesne University in

the Occupational Therapy Department are dedicated to their studies, and are going to bring Pittsburgh to the top in education in occupational therapy. I also want to extend an invitation to everybody to our open house tomorrow 2:30 to 7:00.

Dean Martin:

On behalf of Duquesne University and all the faculty and students within the Rangos School of Sciences, this is indeed an honor for us, and we would like to thank City Council for recognizing this program. This is a new school to the Pittsburgh community, we have been in operation since 1990, we educate beside occupational therapists, physical therapists, physician assistant, health information scientist, athletic trainers and technologist. We have 30 full time faculty about 700 students that hopefully will go out and provide much needed services to Pittsburgh.

We're grateful for the recognition and thank you very much.

Mr. Ricciardi:

Colleagues I would like to commend all of our honored guests here today, and Duquesne University. You continue to forged new public health initiatives to help others, again congratulations.

The Chair:

Please let the school know we appreciate the physical improvements to the campus, especially the entrance way off of Forbes, it's very beautiful. Thank you all and congratulations.

Mr. Onorato:

At this time I would like to call up Sandra McLaughlin, Kathleen Charochak, Elmira Bailey, Bill Meyer, Carmen Segree, Mary Ellen Wampler, Helen Wingertzahn, and Anita Wilson.

Colleagues this is a proclamation recognizing voluntarism that is growing in this region. These are some of the organizations that have been at the forefront in expanding the volunteer efforts throughout our communities, both in and out of the City. I think it's appropriate to recognize their efforts because of the projects they are working on and the money they are saving us. It's to large to even measure.

No. 388 WHEREAS, the United Way recognizes volunteers through a number of activities during National Volunteer Week, which will be held April 17th through 23rd. The theme for this year is "VOLUNTEERS, The Promise of a Nation"; and

WHEREAS, Mellon Bank supports volunteer programs and projects both management driven and employee requested on an ongoing basis. Mellon Bank also supports the efforts of communities and nonprofit organizations through associate and retiree volunteer programs. These efforts are lead by Kathleen Charochak, Manager of Community Relations and Elmira Bailey, Community Relations Coordinator; and

WHEREAS, Projects include, but are not limited to the Boy Scouts Food Drive, Paint Your Heart Out Pittsburgh, United Way Day of Caring, and March of Dimes WalkAmerica; and

WHEREAS, on Thursday, April 21st, the 1994 Volunteer Exposition will be held in the lobby of the City County Building where the public is able to explore how they can make a difference through volunteering; and

WHEREAS, Mellon Bank is co-sponsoring this Volunteer Expo with the United Way of Allegheny County and special thanks should be given to the City of Pittsburgh for their providing the site and assistance in coordinating this event; and

WHEREAS, The Corporate Volunteer Council of Pittsburgh is a collaborative of area businesses and corporations which promote corporate voluntarism through information sharing and dissemination. The Corporate Volunteer Council has been involved with the development and expansion of employee volunteer programs within corporations and will play an active role in the 1994 Volunteer Expo.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh recognizes and commends the United Way of Allegheny County, Mellon Bank, and the Corporate Volunteer Council for their work and dedication in organizing and acknowledging the efforts of the many volunteer programs throughout the region.

The Resolution was moved and seconded.

Which motion prevailed.

Mr. Onorato:

Colleagues I just want to make a few statements about these groups. I know last year in my

district during the day of caring, United Way coordinated with my office, with Parks and Recreations, and Friends of the Park, over 300 volunteers just for one park, that's Riverview. We had an all day rehab session in the park. It was also a chance for a lot of individuals who are not familiar with the North Side or Riverview Park to see some of the assets we have. By their reaction, it was obvious they were impressed that we have 240 acre park sitting in the middle of the City right on the North Side. That's just one of the many assets throughout the City and the region.

I think it's important that we recognize the volunteer efforts today, because there seems to be a trend over the years that everyone was relying on government to do a lot of work. With the fiscal crisis that we all face throughout the country, we're going to have to rely on more volunteers every day. So this is very critical that we recognize your efforts and that we continue to make sure that they expand.

Sandy McLaughlin:

Councilman Onorato, City Council and President Ferlo, we're just delighted with your recognition. I have been pleased to have the opportunity to sit through the proceedings this morning, because I think not just this group but overall it's pretty clear what committed individuals can do and are doing out there.

We believe at Mellon Bank, not to wax to eloquent, that something rather magical happens when people volunteer, because everyone wins. The community wins, organizations and people who need help win, and

we should never forget that the volunteer wins as well. I say that as a volunteer and I say that as a person who has spoken with a number of volunteers at Mellon Bank and elsewhere.

We are very very pleased to be the co sponsors with the United Way of the Volunteer Expo, but we would express our thanks as well to the City of Pittsburgh, who has played a very supportive role in the Volunteer Expo, so thank you very much for that.

We at Mellon have believed for a long time in kind of the total resources approach to community involvement and community commitment. That is people, time, goods, services, and money. We like to encourage the giving of some of all of those resources to the community. Voluntaryism is the key component of that, and in 1993 Mellon employees participated in 30 projects, 671 employees and those are the activities we tracked. I am absolutely certain, I know factually that we simply can't capture it all. But those are the activities we tracked.

Councilman Onorato has detailed some of those activities, but they do range from the Boy Scouts to our employees taking their lunch hour and going down to the Salvation Army to read to homeless children at lunch time, which I think is pretty impressive. We're not the only ones doing things, believe you me, it's a community wide effort. So we certainly support the United Way Volunteer Action Center, and we support the Corporate Volunteer Council. These are organizations that from a volunteer stand point are really making things happen. I could not agree more with the Councilman when he notes how

important voluntaryism is to the delivery of vital services within the community.

So we thank you, on behalf of Mellon Bank, I thank you very very much for this recognition.

Mr. Onorato:

Before I call up somebody else, I want to recognize Myra A. Hall, sitting back there, who has been very helpful I think to all of us coordinating a lot of the efforts.

Mr. Bill Meyer:

I would like to add to Sandy's remarks about the importance of this recognition. As I look out I think that clearly it is not just Council's recognition of these events of next week, but also your personal leadership.

In many cases I have come to know you, working along side you on community projects. I remember the first time I met your President of the Council, if you think he looks formidable up at the podium you should see him on a back hoe at Highland Park, where he is helping to prepare that facility for the wonderful playground that they now have. And so many of you throughout the year involved with us.

We look forward to working with you on the Day of Caring on September 1st. And again demonstrating to the community that it is not just resolutions, it is not just good intentions, that will bring back our neighborhoods and our families. It will be personal sacrifice, personal responsibility, and your going to lead the way. We're delighted to be along side of you

helping to make that happen.
Thanks an awful lot.

Anita Wilson:

I work for Westinghouse Electric Corp. and we are a member of the Corporate Volunteer Council, as Sandy McLaughlin said it's not just Westinghouse, Mellon, Peoples, it's our employees who really pitch in and help and give back to the community. Everybody benefits the organizations, the people, and the employees. We thank you for this recognition.

Mr. Onorato:

No. 389 WHEREAS, St. Ambrose Church located at 1138 Haslage Avenue in Spring Hill was established in June of 1894 and is celebrating its Centennial, its 100th anniversary as a parish; and

WHEREAS, in 1893 seventy families petitioned Bishop Phelan to inaugurate a separate parish; and

WHEREAS, Mr. Charles Rothert donated property for a temporary Church in 1894 which men of the parish erected using donated lumber; and

WHEREAS, Fr. Francis X. Kettle arrived as Pastor on June 25, 1894 and resided with two families; and

WHEREAS, the cornerstone for the permanent Church structure was laid in August of 1894 and the Church itself was dedicated on May 30, 1895; and

WHEREAS, in September of 1895 a Parish School opened and in 1896 Sisters of the Order of Divine Providence arrived. In 1897 a rectory was erected and the convent was built in 1910 - 1911; and

WHEREAS, on March 28, 1928 there was an official groundbreaking ceremony for a Parish School building and incredibly by fall of 1928 the School building was complete and occupied; and

WHEREAS, over the years many constructions, renovations, and additions took place, including the initiating of St. Ambrose Manor, a 101-Apartment facility for the elderly and handicapped. Additionally, St. Ambrose Parish has seen many wonderful individuals, pastors, assistants, priests, sisters, teachers, and parishioners come and go, far too many to name, who we thank now for their contributions as we celebrate St. Ambrose Parish's 100th Birthday.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes all the individuals responsible for enabling St. Ambrose Parish to celebrate 100 years of confessions, communions, masses, meetings, sacrifices and Parish works and projects, and wishes all the people of St. Ambrose Parish a Happy Centennial.

The Resolution was moved and seconded.

Which motion prevailed.

Also,

No. 390 WHEREAS, Mr. Joseph Laquatra has been named the 1993 Man of the Year by the National Italian American Sports Hall of Fame; and

WHEREAS, Mr. Laquatra holds many esteemed positions including: President of the Laborer's District Council of Western

Pennsylvania, Business manager and past president of Construction, General Laborers and Material Handlers Local 1058. Chairman of the Laborers Combined Funds, Vice President of the Allegheny County Labor Council, Vice President of the Pennsylvania AFL-CIO, Vice President of the Three Rivers Labor-Management Council, and Executive Board Member of the Pittsburgh Labor Management Committee and the Committee on Political Education Pennsylvania AFL-CIO; and

WHEREAS, Mr. Laquatra is also a member of the Italian Sons and Daughters of America, 24th Lodge #1, is a member of the Board of Directors of the Italian Heritage Society of America and is a former Board member of Blue Cross of Western Pennsylvania; and

WHEREAS, Mr. Laquatra has been recognized for his achievements many times in the past and has received such awards as the Rocky Marciano Award for outstanding service in 1975, the 1986 Allegheny County Community Citation Merit Award, was inducted into the National Italian American Sports Hall of Fame in 1987 and too many other awards to name; and

WHEREAS, Mr. Laquatra resides with his wife Christine in Glenshaw, and is the father of four children, Francis, Michael, Joe and Lori. He is a graduate of Allegheny High School, a Korean War Veteran, and a former Heavy Weight Golden Gloves Champion.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the achievements and accomplishments of Mr. Joseph Laquatra and congratulates him on being named the National Italian American

Sports Hall of Fame 1993 Man of the Year.

FURTHER BE IT RESOLVED, that the Council of the City of Pittsburgh declares Saturday, April 9, 1994 Joe Laquatra Day in the City of Pittsburgh.

The Resolution was approved and seconded.

Which motion prevailed.

Mr. Ricciardi:

No. 391 WHEREAS, Carlow College Campus School is an urban, private, coeducational Catholic elementary program for kindergarten through grade eight rooted in the traditions of St. Mary's Academy founded by the Sisters of Mercy in 1844; and

WHEREAS, St. Mary's Academy moved to the present location of Carlow College Campus School in 1894 under the name Our Lady of Mercy Academy, making 1994 the 100th anniversary of elementary education on the site of the present Carlow College campus; and,

WHEREAS, in 1963 the school affiliated with Carlow College and became known as the Campus School. Several changes occurred over the intervening years, including the addition of the Montessori Center preschool program, until the Carlow College Campus School attained its present configuration in 1984; and

WHEREAS, the Carlow College Campus School has thirty-four full and part-time faculty members and staff and maintains a student/teacher ratio of fifteen to one; and

WHEREAS, the Carlow College Campus School provides education courses in communication skills, the natural and social sciences, mathematics, computers, religious education, the creative and performing arts, and French together with swimming and physical education and both intramural and interscholastic athletic programs including swimming, basketball, soccer and crew. Extracurricular activities include field trips, clubs, dramatics, social activities, and student government.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the Carlow College Campus School for continuing the tradition of 100 years of continuous elementary education at the present location and commends the faculty, staff, and administration of the Carlow College Campus School for their continued excellent service to their students.

The Resolution was moved and seconded.

Which motion prevailed.

Mr. Hertzberg for Mr. Darkins presented

No. 392 Resolution providing for an agreement or agreements with the Commonwealth of Pennsylvania, Department of Transportation for the installation, maintenance and energizing of highway, decorative and accent lighting on the Smithfield Street Bridge.

Also,

No. 393 Resolution providing for a Contract or Contracts, or the use of existing Contracts for

a gyratory compactor for use on mix design and quality control for flexible pavements and providing for the payment of the cost thereof.

Which were read and referred to the Committee on Public Works.

Mr. O'Connor presented

No. 394 An Ordinance amending the Pittsburgh Code, Title Nine, Article I, Board of Adjustment, Section 909.06(b)(8) - Special Exceptions In Use, is amended to prohibit the granting of a Home Occupation exception which would allow the sale of firearms.---(SPONSORED BY MR. O'CONNOR)

Also,

No. 395 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, ADMINISTRATION, Chapter 909 - Board of Adjustment, in order to create an Exception for Use in certain commercial and industrial districts, for retail and/or wholesale establishments engaged in the sale of firearms.---(SPONSORED BY MR. O'CONNOR)

Which were read and referred to the Committee on Planning, Housing and Development.

Also,

No. 396 An Ordinance amending the Pittsburgh Code, Title Seven - Business Licensing, Article III, Sales Businesses, creating a new Chapter which would require the owner(s) of any wholesale or retail business establishment, engaged in the sale of firearms, to obtain a license from the City's designated License Officer.---(SPONSORED BY MR. O'CONNOR)

Which was read and referred to the Committee on Public Safety.

Mr. O'Connor moved to the suspend Rule 8 by providing for consideration of the bills only until after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Mr. Onorato presented

No. 397 Resolution authorizing and directing issuance of a series of General Obligation Notes, Series of 1994, in the aggregate principal amount of fifteen million dollars (\$15,000,000.00) pursuant of the Act of the General Assembly of the Commonwealth of Pennsylvania.

Which was read and referred to the Committee on Finance

Mr. Onorato moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cusick seconded the motion.

Also,

No. 398 Resolution providing for the issuance of a Warrant in the sum of \$12,500 to Ruth J. Hamilton and Larry Hamilton c/o Jon C. Botula, Esquire, 810 Grant Building, Pittsburgh PA. 15219 in full and final settlement of an alleged accident involving a City Street Cleaner and the vehicle owned by Ruth Hamilton at the intersection of Homewood Avenue and Thomas Boulevard in the City

of Pittsburgh on or about July 10, 1989.

Also,

No. 399 Resolution providing for the issuance of a \$1,379.99 warrant in favor of Rachelle Terry in settlement of claim for automobile damage, chargeable to and payable from Code Account No. 46, Judgments.

Also,

No. 400 Resolution authorizing and directing the Director of Finance and the City Controller to open an account or accounts with the Commonwealth of Pennsylvania, Office of the Treasurer for the investment of City funds.

Also,

No. 401 Resolution authorizing and directing the Director of Finance and the City Controller to open an account or accounts with the Laurel Funds, Inc., for the investment of City funds.

Also,

No. 402 Resolution authorizing and directing the Director of Finance and the City Controller to open an account or accounts with PNC Securities, for the investment of City funds.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 403 Communication from Paul Hennigan, Director, Department of Finance, submitting a report of securities pledged as collateral by City Depositories as of January 31, 1994.

Which was read, received and filed.

UNFINISHED BUSINESS

The Chair:

Moving to unfinished business we do have one standing appointment, Mr. James Rudolph, who we interviewed last week. That's the Mayor's nominee to the Board of the Housing Authority City of Pittsburgh.

Bill No. 342 A Resolution appointing James Rudolph as a member of the Housing Authority of the City of Pittsburgh, for a term to expire October 11, 1995.

The Resolution was moved and seconded.

Mr. Cohen:

I would like my comments brought forward please, in strong support of Mr. Rudolph's nomination and confirmation.

(REFER TO ADDENDUM)

The Chair:

I would like to encourage the Mayor to appoint a couple of Mr. Rudolph's on every Board, Commission and Authority. I think he is a great individual and he will be an asset to the Housing Authority. I would like my comments brought forward.

(REFER TO ADDENDUM)

Which motion prevailed.

Mr. Hertzberg:

I just want to remind everybody about the post agenda on

Thursday, regarding tax delinquent real estate sales and procedures.

I think we see a lot of these things, a regular item that crosses our agenda, and I think just about everyone here is concerned. I think we've got everyone attending this from the Mayor's side that has anything to do with it. So we could have a real nice meeting, and hopefully we can come out of it with a good understanding of policy wise were we are going. Once again, 10:00 A.M., Thursday.

The Chair:

As a follow up to that, I just sent a letter out to each of my colleagues. Neighborfair has produced a promotional brochure on the expediting of the sale of side lots. This is at the urging of Council last year providing some special funding to Neighborfair.

The brochure is printed, and explains how an individual can initiate the side lot purchase process. Neighborfair is playing a role with community groups in expediting the process through the title search and some of the other problems that this Council has identified in the past. Those brochure's will be made available to you later today. I am asking each colleague how many you would like for any outreach on your part in the targeted way.

Mr. Cohen:

I want to thank Mr. Hertzberg for calling this post agenda on Thursday. The Councilman may have already done this, but if not, I would like to ask him to invite to that post agenda meeting, the members of two on going committees that are working on the whole

subject of tax delinquent property.

One is a committee that Councilman Christopher Smith chairs, and the other is a committee that I'm chairing on new programs to try to get at the whole problem of turning these tax delinquent properties over to private owners, and making sure that these properties are secure. So if you could invite those members, I think we might be able to have an even more productive discussion.

The Chair:

Mr. Cohen, if you could also make an effort to communicate directly to those individuals, the meeting is coming up very quickly.

REPORTS OF COMMITTEES

Mr. Onorato presented

Bill No. 404

Report of the Committee of Finance for April 6, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill NO. 350

A Resolution entitled, "Resolution authorizing the Mayor and the City Solicitor to enter into an Agreement or Agreements for the hiring of counsel to assist in the representation of the City of Pittsburgh for outside legal counsel at a cost not to exceed \$135,000.00 (One Hundred Twenty-Five Thousand Dollars)

chargeable to and payable from Code Account 1075, Index Code 107508, Miscellaneous Services, Department of Law."

Which was read.

Also,

Bill No. 351

A Resolution entitled, "Resolution repealing Resolution No. 1379, Item B, effective December 14, 1993, which authorized the sale of a two sty. brk. hse. situated on a lot 24.80' x 110' located at 7453 Hermitage Street, 13th Ward, designated as Block 174 G, Lot 249, to Alma Chapman, for the sum of \$1,500.00."

Which was read.

Also,

Bill No. 352

A Resolution entitled, "Resolution repealing Resolution No. 909, Item A, effective August 2, 1993, which authorized the sale of a 1-2 sty. brk. hse. situated on a lot 19.80' x 85' x 19.81', located at 7926 Inglenock Street, 13th Ward, designated as Block 175 D, Lot 163, to Rickey C. Robinson, for the sum of \$3,500.00."

Which was read.

Also,

Bill No. 353

A Resolution entitled, "Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984."

Which was read.

Also,

Bill No. 354

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

Mr. Cusick:

I would like to make a motion to amend Bill NO. 354, Item B, by reducing the amount of the sale from \$5,000 to \$4,000

Mr. Cohen seconded the motion.

The Chair:

I believe you have a letter from the Finance Director regarding this issue that was raised last Wednesday.

Any discussion on the amendment?

The amendment carries.

Any discussion on the bills?

Mr. Hertzberg:

Bill No. 350 is the bill authorizing the Mayor and the Solicitor to enter into an agreement for up to \$125,000 for

outside legal council. I will be voting no on that, I voted no in the preliminary vote last week.

I believe we have some debts to pay out of that amount from past years, I'm not to happy about that, previous years budget should have taken care of this. I do recognize that those debts have to be paid, but those debts are not as high \$125,000.

I believe what would be most appropriate is to take these issues on a case by case basis, and that we not grant blanket authority in the amount of \$125,000.

I believe our Solicitor's office is sufficiently funded, has a sufficient number of people, and has sufficient expertise to handle every kind of matter that they have mentioned as to possibly being referred to outside council. Including the voting rights issue, the zoning issue with Historic Preservation, and including labor issues. Particularly the voting rights case, where the taxpayers to date have been getting hit twice, both for our attorneys and for the other sides. I think it is about time to stop this, and I am voting against Bill No. 350.

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Bill No. 350

AYES:

Mr. Cohen
Mr. Cusick
Mr. O'Connor
Mr. Onorato

Mr. Ricciardi
Mr. Smith
Mr. Ferlo, (Pres't.)

NOES:
Mr. Hertzberg

AYES: 7 NOES 1

All other bills.

AYES:8 NOES: 0

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Hertzberg, for Mr. Darkins presented

Bill No. 405

Report of the Committee on Public Works for April 6, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 348

A Resolution entitled, "Resolution granting unto Property Ventures, LTD. with an address at 330 Grant Street, Pittsburgh, Pennsylvania 15219, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a total of 12 trees in a portion of the sidewalk area along Seventh Avenue and Smithfield Street in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES: 8 NOES: 0

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen

Bill No. 406

Report of the Committee on Public Safety for April 6, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 357

A Resolution entitled, "Resolution authorizing and directing the Solicitor and Chief of Police in consultation with City Council to convene a Community and Law Enforcement Conference on the issue of gang violence in the City of Pittsburgh. --- (AS AMENDED)---(SPONSORED BY MR. FERLO & MR. CUSICK)."

Is there any discussion on the bill.

Mr. Cusick:

I would like my comments brought forward from last Wednesday's meeting.

(REFER TO ADDENDUM)

Mr. Ricciardi:

This initiative has had much discussion, but I would like to say something that I really

believe in. That is we need to be pro-active and not re-active. I think the foundation of this initiative, we can disagree on the presentation or maybe some of the substance of the foundation, but we need to take steps before violent crimes happen here in the City of Pittsburgh. On that note I applaud the two Councilmembers Ferlo and Cusick.

Mr. Onorato:

Strictly on a positive note Mr. President, I just want to state that this is a good step moving forward in the right direction. If anyone caught the news last night, you noticed there was supposedly a peace agreement on the North Side between some of the waring gangs, and there is actually results. For whatever reason, and the police are a little skeptical at this time, but the crime has really dropped off over the last 2 or 3 weeks among the gang members. And there is a community conversation being held today at the Community Literacy Center on the North Side at 5:00, which I think is very healthy.

So there is a lot of things happening, a lot of positive actions taking place, and I hope that tonight's conversation just continues the peace that we have been seeing.

The Chair:

On this note, there is a community wide meeting in Garfield the evening of April 21st., at St. Lawrence O'Toole Church in the auditorium. The general theme is stop the violence. I think you know Garfield, similar to the problems in the North Side, Lincoln Larimer, Homewood, East Liberty, and some of the other

neighborhoods, parts of the public housing communities, in Northview and Arlington and St. Clair, is experiencing a crisis in terms of gang related violence and crime.

This is an effort indigenous to the community in Garfield, to bring people out to have a public forum. Many elected officials, I believe all of you will receive an invitation. I will obviously be there, as well some of the individuals mentioned in this resolution were voting on. The U.S. Attorney, Mr. Coville and others have been asked by the community to appear and speak, and be supportive of the concern, and address the issue.

Mr. Cohen:

I also will be there, I was going to mention the same meeting. I appreciate you doing that. I am glad that we are moving forward in a positive way.

The other periodic meetings that I brought up last Wednesday, that I would like to reiterate today, is that the Housing Authority has periodic meetings where they bring together the drug task force, the FBI, all the suburban Police Departments, and the Pittsburgh Police Department, to exchange information about gangs. They will be having another one, I think relatively soon. I think we should all attend that and continue to move forward in a positive way.

The Chair:

Any other comments?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES: 8 NOES: 0

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

BILL NO. 407-A Resolution appointing Deborah S. Miskovich as Director of the Department of General Services.

Also,

BILL NO. 408-A Resolution appointing John Hanna as Director of the Department of Water.

Also,

BILL NO. 409-A Resolution appointing William T. Simmons, Esq. as a member of the City of Pittsburgh Magistrates Court.

Also,

BILL NO. 410-A Resolution re-appointing Alma Speed Fox as a member of the City of Pittsburgh Human Relations Commission for a term to expire April 1, 1998.

Also,

BILL NO. 411-A Resolution appointing Elizabeth Pettinger as a member of the Human Relations Commission for a term to expire April 1, 1998.

Also,

BILL NO. 412-A Resolution appointing Harry F. Kunselman as a member of the Human Relations Commission for a term to expire April 1, 1998.

Also,

BILL NO. 413-A Resolution appointing Denise Hughey as a member of the Human Relations Commission for a term to expire April 1, 1998.

Also,

BILL NO. 414-A Resolution appointing Sandra Weber as a member of the Human Relations Commission for a term to expire April 1, 1998.

Also,

BILL NO. 415-A Resolution appointing Christine Williams as a member of the Human Relations Commission for a term to expire April 1, 1998.

Also,

BILL NO. 416-A Resolution appointing George Board as a member of the Human Relations Commission for a term to expire April 1, 1998.

Also,

BILL NO. 417-A Resolution appointing Robert C. McClenahan as a member of the Human Relations Commission for a term to expire April 1, 1998.

The Chair:

You have heard the reading of the nominated appointments, 3 of them are Department Directors, obviously I believe it would be the will of this Council to have the individuals come forward as well. We have a major turnover in the composition of the individuals that will serve on the independent City's Human Relations Commission.

Mr. Ricciardi:

I would like to make a motion

that all names read into the record today, all appointments come before us tomorrow at our Finance Meeting.

The motion was seconded.

Mr. Cohen:

I certainly support Mr. Ricciardi's motion, and want to make a suggestion unless there is an objection from Council. One of those members is a currently serving member of the Human Relations Commission, Alma Speed Fox, certainly I have no objection of her coming before Council, but she has served with distinction, and has come before City Council. If there are no objections I would like to move that she be approved, since she is currently serving, but that we bring all the new appointees up before Council.

Mr. Ricciardi seconded.

Mr. Smith:

I think that it would probably behoove us to at least have her appear in front of us, because there are two new members who have not been here before. I have known her all of my life, but I think that it would probably be good fellow colleagues that she at least present at the table and expound on her experience and so forth in an opportunity for us to be able to recognize her, and find out the direction that she espouses for the Commission.

Mr. Cohen:

I only made the suggestion because she has served with such distinction that I thought we could approve her quickly, but I think Councilman Smith makes a good point.

The Chair:

The original motion that has been moved and seconded is that we ask all of the nominees of the Human Relations Commission, as well as the three nominated Department Directors to come to the table tomorrow.

Mr. Cohen:

I would like to make sure that we have in our hands resume's of all of these nominations before they come before Council. It makes it rather difficult to be able to interview them without knowing what their backgrounds are.

The Chair:

I thought we were in receipt of some type of bio on each one of the nominees, can we make sure we get that out again to each colleague.

You've heard the nominations coming before us tomorrow, it's been moved and seconded to have the interviews.

Which motion prevailed.

Mr. O'Connor:

I just wanted to bring to my colleagues attention, I'm introducing three pieces of legislation today, that hopefully tomorrow will be sent to the City Solicitor & Planning Commission for their review and comments.

The first is creating exceptional use for businesses engaged in the sale of firearms in all designated commercial and industrial zones. Right now we have ordinances which govern where we can locate a number of

businesses in the City. For example pool halls, amusement arcades, beer distributors, gas stations. This legislation basically follows those guidelines.

In other words, you cannot open a firearms distributorship within 500 feet of a church or synagogue, other firearm business, elementary or secondary school, public playground, recreation center, or drug and alcohol rehabilitation center.

The other part of the legislation expressly prohibits the sale of firearms in residential areas. This I was shocked to learn, we restrict businesses such as beauty shops, someone can't work on their car, open a garage in a residential neighborhood, but yet we can sell firearms, we have no restrictions on how many or who sells firearms in our residential neighborhoods.

The third part of this legislation requires that a business license for all those engaged in firearm sales to the public, should be licensed by the City. Right now there are 151 persons or establishments that have federal license to sell firearms in the city. Only 12 of these are store fronts in commercial areas, the other 139 that hold these federal licenses are, I think a fair amount of them are, persons who use them for their own personal use.

This legislation is not directed at them. I feel it's very important, and the intent of my legislation is to create

guidelines as to where we will and will not allow firearms to be sold in the city. This is not an attempt to ban or otherwise prohibit the sale of firearms, instead it is an attempt to bring some order to a very chaotic and potentially dangerous way we do business.

The Chair:

These will be introduced, they come up tomorrow for our review, and I presume they will be immediately forwarded to the respective Planning Commission.

Mr. O'Connor:

In Brookline I think you had some problems in a hearing up there, and I know it's a concern in my neighborhood, and I certainly would like my colleagues to have input in what they would like to review with this legislation before it goes to the planning commission tomorrow, I will be open for their support.

The Chair:

We will move quickly to schedule a public hearing, and ask that the Planning Commission quickly do their due diligence on the bill so we can have some discussion and debate, and move on the final passage or non passage of the legislation. I hope the bill gets characterized as an improvement to the zoning code, which I feel it is, as it relates to the quality of residential neighborhoods. And not be characterized as yet another gun bill, because I really don't view

it that way. I'm sure we will
have a lot of discussion on the
bill.

Mr. Ferlo moved to adjourn.

Mr. Cohen seconded.

And on the motion of Mr. Ferlo
Council adjourned.

(BEGINNING - MR. COHEN AND MR. FERLO'S COMMENTS ON APPOINTEE TO HOUSING AUTHORITY BOARD, WEDNESDAY, APRIL 6, 1994)

The Chair:

We have an appointment to come in front of Council today. Mr. James Rudolph, he has been nominated to be a member of the Housing Authority Board. If Council will permit, we will have him come to the table now for questioning.

Mr. Hertzberg:

Mr. Chairman, I have Mr. Rudolph's resume but I did not bring it with me, I was unaware of when he was going to be appearing in front of us.

The Chair:

We will have a copy made while he comes to the table.

Mr. Rudolph, good morning.

Mr. Rudolph:

Good morning.

James Rudolph
16 W. Woodland Road
Pittsburgh, PA 15232

The Chair:

If you would like, we will give you a few minutes to address Council and then we will open up for questions. And, please, speak into the mike.

Mr. Rudolph:

I welcome the opportunity to come to present myself this morning for the nomination to the Public Housing Community Committee and I am anxious to start to serve in this position and I am here, obviously, to answer any questions or tell you more about my background of why I am qualified for this position.

The Chair:

We will go to questions now, and we have his resume being copied and we will have it in a few minutes. Any questions at the table?

Councilman Ricciardi.

Mr. Ricciardi:

Yes, thank you. Mr. Rudolph, congratulations on your nomination. I hope, obviously, that you bring your keen business sense to the Housing Authority and I think that would be your greatest asset.

I am just curious why you want to serve on the Housing Authority Board?

Mr. Rudolph:

That is a good question and I appreciate the -- asking me that question. I guess one is, obviously I hope I can bring my business sense -- I hope, one, that I can bring my business sense, but I think the other reason that I really want to serve in this position is that, as you see from my resume, I am involved a lot with the community. I have fortunately been involved and have seen firsthand the public community housing and I am one to try and make a difference of where I serve, and knowing that ten percent of the residents of the City of Pittsburgh, as I, obviously, am a resident, I want to make a difference, I want to make these facilities better for the people that live in this City.

I think the other reason -- I know the other reason is, that I was born here, we do business here, I believe that probably some of my employees live in these facilities and I have a responsibility to give back to this community as well as to the City as well as to these people. And that is my purpose.

Mr. Ricciardi:

Thank you very much. Obviously, all of us, and I also am very concerned about our housing communities in the City of Pittsburgh. As I stated to the past nominees, I have two housing communities in my district, Arlington Heights and St. Clair Village and I have always been very concerned about making sure those neighborhoods become part of Pittsburgh's future. As a matter of fact, I was just notified by Councilman Ferlo yesterday that in Arlington Heights over the past week there has been shootings, nightly shootings, and that is a concern of mine, that is a concern of mine that our police officials must realize that they are neighborhoods but also the Housing Authority Police and others must get security, because if one does not have security within their own neighborhoods, how can they ever strive for a better life for themselves and their children if people are scared to come out of their homes. I have always complimented all of my colleagues, especially Mr. Onorato, Mr. Ferlo, who have stated that bricks and mortar is fine, but we really have to put a lot into the people aspect, the social service aspect.

I am very confident and comfortable with your nomination because of your success in the business world and I think the Housing Authority, and I commend Mayor Murphy for this, is putting on a nice balance between community activists and people who have worked on the community level and people such as yourself that have worked on the community level but also have that keen business sense, because obviously we need a business sense to the Housing Authority in terms of the revenues that are being spent, in terms of the monies that are being spent, but also in terms of making sure that everyone is responsible, in terms of even making sure rents are being paid on time. And, the management of the facilities, I have been very concerned about the management of the facilities in St. Clair Village, for example, and I think we could just do better and I think you are going to add to that.

So, I really want to commend Mayor Murphy for the total composition of the Housing Authority Board, not just your own.

And, in respect for my other colleagues, I will give up the floor now, Mr. Onorato. Thank you.

The Chair:

Councilman Cusick.

Mr. Cusick:

Good morning. I guess I want to congratulate you on your nomination, but more so that, is to ask you, what makes you stand out from nominees that have been selected this year or prior years?

Mr. Rudolph:

Unfortunately, I do not know who the other nominees are, I can only, again, speak on my own behalf, that as you see from my resume I am very much involved in the community, probably more than I probably should be, based off the responsibilities I have with my business. But, again, I go back to the objective I have wherever I sit, whatever involvement I am, I want to make a difference, and I am very committed to wanting to be a part of this and, more importantly, I want to make a difference, I really -- what Mr. Ricciardi just said. These conditions to me personally are intolerable, they are not -- to me they are not accepted.

Again, I am probably one of the few business people that have seen these housing facilities firsthand and I just -- I cannot accept it, I just cannot continue to live in this City and know that ten percent of our population is living in these facilities, and I have to be there, I just -- I feel it is my responsibility, I want to be a part of it.

Mr. Cusick:

I would just like to say, I appreciate your excitement and your excitement and your enthusiasm and I wish you a lot of luck, this is a big job and it is a big task to take on. Councilman Ferlo has been probably one of the hardest workers in the public housing community and I hope that we will be saying that about you next year.

Mr. Rudolph:

I think all of us together can make a difference in making these facilities a better place to live.

Mr. Cusick:

Thank you very much.

The Chair:

Councilman O'Connor. We will go right down the table.

Mr. O'Connor:

Well, Jim, I certainly do not need your resume, I have known him most of my life and also been a friendly competitor of Mr. Rudolph's in the business world, and I certainly admire, and I will tell the public, your involvement in the community is fantastic and as you have said, I am sure at times your business -- you have good business people running and helping your where otherwise you could never be doing it, is a credit to you, how you can -- you and your family can spread yourself in so many areas and be so good at it, and we as Pittsburghers owe you a debt of gratitude for what you have already done and I am sure by just your words before, what you can bring to the table to help the Housing Authority, I think it is outstanding, your business background, especially since some of the things I have talked to President Ferlo and some of the mistakes and I think they need some watch dogs, not only to run it better so that the money is not wasted and is put in the right areas, whether it be recreation, better schools, things like that.

But, you made a good point in the City most of the things that come up we always call US Steel, Alcoa, Westinghouse for help, not only checks but how to get involved. I do not know -- I think we are missing somewhere, what you just said, how many business people are -- have ever seen these areas, housing, and I bet you 90 percent have not. How can you, or we get more -- and I want to get away from the top ten corporations and there are probably hundreds of businesses like yours, whether a little bigger or a little smaller, with a lot of talent, and especially I see it in our communities, all the things we do there, and you are a big part of it. How can we bring those people -- or get

those people more involved, like you are doing?

Mr. Rudolph:

I really do not know of a plan yet, Bob, of how to do it, I know that I agree with you, I think maybe the number is higher than 90 percent have not seen these facilities, but I think the place maybe to start is to start to have tours of these facilities for people who have never seen it before and I have said that to people who have mentioned that and congratulated me on being nominated that one of the things I would like to do is be able to take people through. I think people who live in this City need to be made aware of ten percent of our population is living under these conditions and it is not to be tolerated, and we as community individuals need to take on responsibility to make this better. I think the first thing is, though, is awareness. I really believe that the community at large is not aware of that situation out there today. I mean I personally can tell you, I was not. I have lived here all my life, I was not aware of it until I had the opportunity to see it firsthand, on a number of occasions.

Mr. O'Connor:

I think you bring up a good point, how are we going to solve a problem if we do not know we have a problem.

Mr. Rudolph:

That is right.

Mr. O'Connor:

So, if we can get everybody's attention there is a problem and admit there is a problem, I am sure, with all our resources, can solve it.

One other thing, I know you have a lot of employees and I am sure, I do not know how many employees you have that work that live in the City --

Mr. Rudolph:

In the City, I am not sure. Total employees over 2500.

Mr. O'Connor:

So, you represent 2500 employees?

Mr. Rudolph:

Right, in the Greater Pittsburgh area.

Mr. O'Connor:

And I am sure they are from all backgrounds, incomes, colors, race, creed. So, you bring a rare quality, I think, from your background experience, and although you are a business man, I think the housing area should be very glad because of the people skills you bring with that business, and I just congratulate you and wish you well.

Mr. Rudolph:

I appreciate it. Thank you.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Thank you, Mr. Chairman. Now, before I begin, I know that we had some previous discussions, in fact, other Housing Authority candidates, on the question of whether there would be a nominee that is an actual resident in the Housing Authority community, and before I begin asking you some questions, I just want to see if any other members of Council could clarify that for me. Is this going to be the last spot to be filled, if anyone knows?

The Chair:

I think somebody could address that. I think we solved that question of having someone that lives in public housing on the Authority, and the Mayor has a few appointments that we do not have to approve.

Mr. Ferlo:

This is the last appointment.

The Chair:

Councilman Ferlo, if you want to explain that there is somebody on the board now that lives in public housing.

Mr. Ferlo:

There are seven members to be appointed to the Housing Authority Board, five of the members need City Council's approval, we have already approved all five of those individuals -- well, presuming we support Mr. Rudolph. In the interim from the last discussion on the Housing Authority appointments, the Mayor made an appointment of Linda Brown, who is a leader from the Metropolitan Tenants Organization, she

resides in Arlington community and she is a very vocal and very articulate spokesperson as a resident within the public housing community and she has worked with Councilman Ricciardi and she is a great asset and addition to the Housing Authority Board. That action took place following our last debate on this issue. Mr. Rudolph, in fact, would be the last appointee to the board.

Mr. Hertzberg:

Thank you, President Ferlo, because I did not want to be put into the position with your tremendous credentials of having to make that kind of choice and I am glad I do not have to. Chairman of the Board of Wendy's of Greater Pittsburgh, and everything else that is on here, it is very impressive and I congratulate you and I support you, and I just want to ask you a couple of questions.

One of the things that I have been talking about, I think can help our Housing Authority communities, is more ownership by the tenants, is that something you might explore?

Mr. Rudolph:

Absolutely, I think it is important that they have equity into where they live and they are a part of the management and they have -- most important is, I think Mayor Murphy has represented to you, based on the recommendation that came out of here, that you do have somebody who is serving on the committee that is a resident of the housing plans.

Mr. Hertzberg:

You mention the fact that you had some personal familiarity with some Housing Authority communities, can you elaborate on that a little for me?

Mr. Rudolph:

Well, my personal experience is that I have personally seen three of them over the last 12 -- 24 months. And, I guess my last experience was that I was involved with the United Way Day of Caring and spent the day, I believe, in St. Clair. So, I spent the day and then we took about 50 of our employees from Wendy's up there to do some work in their gym, we finished it about 11:30, 12:00, and I asked a resident, who was really the lead person in that community, to give us a tour of the housing facility. So, I saw firsthand of all the buildings and got a background of what was happening and what was needed. That was back in the -- well, last fall, September 1, to be exact.

Mr. Hertzberg:

Thank you, that is all the questions I have.

The Chair:

Councilman Cohen.

Mr. Cohen:

Thank you, Mr. Chair. I do not have any questions for Mr. Rudolph, and the reason is that I know him quite well. and I am very happy to say that I think that he is a terrific nomination to the Housing Authority Board. I have known him for years and worked on several projects with him and I can say that I have always been impressed with you, Jim, and I think that you have the integrity and the compassion to serve on this board and a real commitment to this community.

We do have in front of us Mr. Rudolph's resume and I did want to just note, for the record, that Mr. Rudolph has made contributions outside of his business in really a substantial way, including serving on the board of the United Way and Vintage and Junior Achievement and Robert Morris College, the Jewish Family and Children Services, et cetera. So, you have made many contributions, certainly to this community, but I think in many ways the position that you have been nominated for now will give you the potential to make perhaps your biggest contribution to the community, and I just wish you the very best of luck.

We have spoken a number of times about our public housing communities, how, as you just said, it represents ten percent of our population, how many of them are isolated, they do not have the proper security, the proper social services, the need for tenant management and tenant ownership, that you just talked about, and I know that you will take on this job with a real commitment, just like the commitment that you have made in the past.

So, I just want to take this opportunity to wish you the best of luck, to say that I very strongly support your nomination and look forward to you serving on our Housing Authority Board.

Mr. Rudolph:

Thank you.

The Chair:

Councilman Darkins.

Mr. Darkins:

Well, I am not going to bother you, because Dan Cohen is my friend. The only thing I want to tell you -- because I was very upset last week, very upset -- I do not want you to go there and sit and do not do anything on that Housing Authority. I do not care what company you own.

See a lot of folks do not understand me. I have got plenty of money. I mean that. I have been sick. I have had my attorneys at the hospital and I have reconstructed my will, and I really did not know -- I know I had some money, but when they came to the hospital, and my sisters were there, found out I had a lot of money, so now -- I was going to leave all that money to my church, and what I am doing now is, I am going to take \$50,000.00 and start just remodeling my church. I am not going to leave it to the church because I do not want no one fighting over my money. And, my sympathy in places like the Housing Authority because I have, all my life -- I gave out over 500 bags of food and the people were not all from Homewood. I gave out over a thousand eggs yesterday, a thousand eggs in Homewood. It was just amazing to see the kids. So, I am interested in poverty. And there are so many things in that Housing Authority that does not live up to what it is supposed to be. I know my friend, I know my friend, Jimmy Ferlo, he knows, he knows, and you are going to be there with him and he is going to make sure. I am glad we got somebody from Wendy's that will help us there, so you will understand where I am coming from. Jimmy Ferlo knows, he knows. I do not care about Mr. Tom Murphy being the President, but Jimmy Ferlo knows, he came from Carver Street, he came from Larimer Avenue. He and I both came from the same area and he knows what the Housing Authority needs.

So, I really want you to look at it real good now, hear, because we got a long ways to go and a lot of things are to desire there.

And, I do not know, someone called my house, they said, what's wrong with you, Darkins? I says, when I was laying there in that bed of affliction and I thought about a lot of things and I thought about a lot of people and there is nobody else around here now. I can only go back to Ferlo, because Ferlo, he came from that area and he knows all about it and he is on the Housing Authority and I want the Housing Authority, for you to take some serious consideration, and let's help them. They keep dancing, keep dancing, the board keeps dancing and the dancing is over. When you look at all of the Senior Citizens, when you look at all those people, have you really been around the Housing Authority, have you really, have you, you really have? Well, I am going to tell you, man, have Jimmy Ferlo take you. Okay? And, I am not talking about the Hill District either, not at all. My friend over there, my friend, when we go up to St. Clair Village -- you got to go up to St. Clair Village, you got

to go to St. Clair Village and you got to see our friend up there on her back, she cannot do what she used to do, but you need to see her, Frankie Mae Jeters. Everytime I go up there with Gene Ricciardi, that is our first stop. She is flat on her back. She is the one who originated all of these things that the Housing Authority is not implementing. She is sick now. And, there are people like her Councilman, Ricciardi -- it is just, you have to go and see. The rest of my colleagues have not been up there. They come here and sit at the table, they come and hear what the Housing Authority wants, but you got to go up there and see that, man. Go to St. Clair Village, go to Arlington Heights. I have covered them all. It is a lot, a lot to be desired in North View Heights, a lot to be desired.

I say to all my folks up around there, don't give me no jive.

So, that is all I got to say. It is nice meeting you.

Mr. Rudolph:

Thank you. Nice to meet you.

The Chair:

Councilman Smith.

Mr. Smith:

Good morning.

Mr. Rudolph:

Good morning.

Mr. Smith:

From your resume, it is very impressive in the background of business and you have been very active in your community. What scares me, though, is that you have called these facilities when they are communities, people live here and their lives revolve around what you have called a facility, and it is just interesting to me that you would call them facilities as opposed to communities.

The only thing is, that I am going to actually quiz, because your background in business and your community service, do you know anyone who lives in these public housing units, anybody from a child on through?

Mr. Rudolph:

Do I know anybody personally, no, but I can tell you, one of my initiatives initially would be, one, is to visit each one of them, and number two, is start to meet the people that live in them. I mean I cannot really help anybody unless I know what it is like to live in a community. So, I think those are the -- I need to do those two things first. I mean I have seen three or four of them, I have met people that live in them but now I come from a different position of, I need to know what it is like, because I do not live there but I want to know what it is like to live there. I want to talk to them, I want a feel from them, what do they need, what do they want, what are their problems, what can we bring to them that can make it better.

Mr. Smith:

Well, that does give me a comfort level that you are willing to learn, I think that it is important. It is very interesting, when you wake up everyday and look in the mirror and society and a system reminds you that you are black, because you cannot change your name or have a plastic surgery --

Mr. Darkins:

That is right.

Mr. Smith:

-- hide yourself, it is a much different aspect of what you face that many people, and especially white America, do not realize when we can drop the "ski" off, drop the "a" off of a name, have a nose straightened out and not be identified, and I think it is very important. Because I have where you live, and you live in a fine community, that everyone aspires to but it is also a very safe community, in which it is off on its own, and I am just very interested that you show an interest in learning what a day in -- and I have 30 percent of all the public housing units in my Council district of the City of Pittsburgh. I have the largest single public housing units in this City, and when people do not know where they are -- but, see, I can tell you where some of them are hidden, and I would love to take you on a tour through my district. I am offering that.

Mr. Rudolph:

I am going to take you up on that, too.

Mr. Smith:

You are on. But, we need to have people who have compassion and understanding to the total life picture in these communities. And, so, I am offering you that.

I believe that one of the problems is the business operations of the Housing Authority and I hope that with your background you can bring some correction to what I perceive as waste in our Housing Authority. But, along with just that business aspect, I would love to help open up your eyes to the day in, day out lives of these individuals who have to look in the mirror and hear, no, or be treated nastily everywhere they go.

So, congratulations on your nomination. I will support you because of your business background and hopefully we both can grow as I introduce you to the people who really have to live this life.

Mr. Rudolph:

I appreciate that, and I will take you up on your invitation to preview, or to review these communities with you firsthand before we do it.

Mr. Smith:

Excellent. Thank you.

The Chair:

Councilman Ferlo.

Mr. Ferlo:

Mr. Rudolph, your good work in the community precedes you and, if anything, I just want to say, thank you to you for your willingness to make a commitment and serve on the Housing Authority Board. I wish we had a Jim Rudolph or a couple of Jim Rudolphs on every board, commission and authority, here in the City of Pittsburgh, and I think partly we see an Administration that is attempting to broaden out the composition of many of our boards and authorities.

If you have compassion and commitment and you care, those are the three qualities that I am interested in in your approval for the Board of the Housing Authority. I think part of the problem, historically, within the public housing communities is a reflection of isolation and I think that isolation needs to end at the level of the board and I think that the board needs to broaden out. We need not only your business acronym but the level of resources and your thinking and sharing of ideas and concerns that, I think, together with the tenant representation, others that are on the board, others within the staff and mostly those within the community, I think we can all become part of the solution and not continue to be part of the problem.

So, again, I applaud your commitment. I know you are juggling a lot of things within the community, your other levels of commitment, volunteer wise. I hope that you will move ahead as a priority your role and function and activities on the Housing Authority Board. But, other than that, I just want to say, thank you and congratulations.

The Chair:

Mr. Rudolph, I just have a few comments. One, I think you will be an excellent addition to the Housing Authority. I am excited that someone with your background, the entrepreneurial background, is going on the board, and I hope that you bring a lot of your lifetime experiences to the problems of the public housing community. For example, it might just be a simple problem -- and I am talking about North View Heights, which is in my district, where we have a major suburban mall complex less than a mile and a half away in the North Hills, yet it could be 500 miles away because there is no transportation and there are a lot of jobs, that a lot of these young kids could be employed, and you are in the business of hiring young kids with the type of resume you have here, but that little problem of transportation, these are the types of ideas that we need to hear from and how do we get these individuals to where the jobs are, so that they can get back and forth, because PAT is not doing it and they just do not have the resources to provide what we need in certain areas. That is the kind of ideas that I am looking for.

The way I view public housing, and which I hope we have a new look on it from the new board, is I would like to see the board actually start having board meetings in the communities and I would like to see them at night and I would like to see it with the Council person from the district participating. Here is why. You have a very large segment of the population living in public housing, a lot of the rules and regulations come from the Housing Authority Board, they are not elected officials, they are appointed by the Mayor, approved by the body and yet these are some of the largest communities in our Council districts. We are the only local elected officials, other than the Mayor and the Controller, that they really know and deal with but we are held accountable, and, historically, at least of what I have experienced, the Housing Authority has been too separate from this body in working with the problems. Not that I think this body should dictate what the Housing Authority decides or votes on, but let's work together. We face the same problems that the board faces. If there is a crime problem in North View Heights, it is the same to me if there is a crime problem on Observatory Hill, they are just two different neighborhoods that I represent, and the problem we are running into is that there is this other layer. I think that we have to get beyond those layers and look at it as additional resources

and work together, and that is what I am looking for from the new board members.

Mr. Rudolph:

Your idea of having the meetings there is what I was thinking about, and I did not know whether to say it publicly here because I have not attended my first meeting. But, since you brought it up, I one hundred percent endorse it, I think they need to see us, I think we need to see them, I think we have to go on their turf, we need to go in their communities to see firsthand what goes on and they need to see us. I think it is very, very important.

The Chair:

Absolutely.

Mr. Rudolph:

And, I think also -- I am sorry to interrupt you.

The Chair:

No, go ahead.

Mr. Rudolph:

-- I think it is very important that we, as we sit around this table, that all of you, as you all have said that you represent these communities, that we all work together in this. I mean I think we are pretty good. I think personally -- not that good but I think I can bring a lot to it, but we, or myself cannot do this by ourself, it has to be all of us. I mean we are the powers and the leaders of this community and we need to step up to the table to make a difference and we can make a difference, there is no question.

The Chair:

And, I think the board has to realize, just because we have monthly meetings Downtown, we cannot assume that the people can get there that easily during the day, these individuals work, a lot of them have children, it is not that easy, but a night meeting, it is very easy to show up in their community and then we could hear the complaints and deal with the problems, and I want to be more friendly to the community. So, I am glad to hear that you were thinking that way, and I look forward to working with you.

Mr. Rudolph:

I totally agree. Thank you.

The Chair:

Any other questions? Thank you, Mr. Rudolph.

Mr. Rudolph:

Thank you very much.

Mr. Cohen:

Congratulations.

Mr. Darkins:

Hang in with Jimmy Ferlo. I am telling you something. He knows what is going on.

Mr. Rudolph:

Thank you.

(END OF COMMENTS)

PREPARED BY: CHERYL L. WILDS
STENOTYPE REPORTER

(BEGINNING - MR. CUSICK'S COMMENTS ON BILL NO. 357, WEDNESDAY,
APRIL 6, 1994)

BILL NO. 357

Resolution authorizing and directing the Solicitor to file
an action in the U.S. District Court, or alternatively in the
Court of Common Pleas requesting the issuance of a Writ of
Mandamus directing the convening of a Grand Jury to investigate
and prosecute gang activities and gang members in the City of
Pittsburgh. --- (SPONSORED BY MR. FERLO & MR. CUSICK)

Which was read.

Mr. Ferlo:

Chair, defer to me.

Mr. Cohen:

I defer to Mr. Ferlo.

Mr. Ferlo:

Motion to amend by substitution.

The Chair:

Is there a second?

Mr. Ricciardi:

Second.

The Chair:

All in favor of amending by substitution say aye? Opposed?
The ayes have it. The bill as amended.

Which motion prevailed.

Mr. Ferlo:

Thank you, Mr. Chair. Members of Council, you have before
you a revised bill. I will try to be brief because it is 12
noon and move the discussion along.

Councilman Cusick and I have offered a substituted amended
resolution here today regarding the issue of gang violence in
the City of Pittsburgh that is clearly plaguing many of our
neighborhoods and certainly many of our residents throughout our
City.

I have offered the amendment for two reasons, one is for practical politics, and one is to maintain a vehicle to focus the attention of this Council, as well as the U.S. Attorney, as well as the County District Attorney, on the gang problem, the growing gang problem in our City. The original resolution seeking to take legal action, what I characterized last week as the inaction of the U.S. Attorney and the District Attorney at the county level on the gang problem, would not be supported by this Council or Mayor Murphy. So, when I mentioned earlier, practical politics, it was clear from last week's pronouncements that a majority of Council members would not support taking the legal action that was proposed in the initial resolution.

The revised resolution, if approved, by this body, however, would require the City Solicitor and the Chief of Police, along with City Council, and I would like to direct this through Councilman Cohen, that is Chair of Public Safety, to convene a community and law enforcement conference to explore the legal, prosecutorial, the community, as well as the police efforts to better investigate, better identify, better apprehend and better prosecute gang members and gang activities in our City.

The purpose is to use the legal resources at the disposal of the U.S. Attorney as well as the District Attorney at the county level to take pre-emptive and pro-active measures against gangs before homicides occur.

Nowhere last week did I criticize the work of the City Police Force or any law enforcement in terms of police work. We know for a fact that we not only have a hardworking Police Department, but we have had success in many instances on follow-up of homicides. That was not the criticism, that was not the action, nor even suggested action or criticism last week at the Press Conference, no such statements were made, despite some of my colleagues characterizing that statement following the Press Conference.

The amended resolution also requests Mayor Murphy to formally respond to our request for the deployment and an evaluation of a need for additional police officers to the Gang Suppression Unit to better elevate and demonstrate the priority importance of this need for this type of police work, separate and distinct from burglary, auto squad, ONI, things of this sort, all important work. The Chief knows better than anybody at this table that he has multiple priorities, I am saying, given the characteristic of what is happening right now with gangs, in addition to the work with ONI, there needs to be a deployment and a re-evaluation of the number of officers working on the Gang Suppression Unit.

I want to make it clear that I am not apologizing for any of my actions last week, come hell or high water. I believe very strongly that the rap sheets of known gang members and/or

individuals who have multiple weapons violations should be exposed. I think they should be on the boards of schools, I think they should be out in the community, they should be circulated at the Zone Safety Council monthly meetings, they should be circulated at Block Watch meetings throughout this City. I think people in the community need to know who is living in their neighborhoods, who is living next door. This information should be exposed. One of the issues I am attempting to raise with last week's pronouncements is to begin to remove this mysticism that we helped to create, myself included, when we keep referring to these gangsters as gangs. We have known gangsters and criminals in this City, many of them are young people and we need to stop mystifying them with this rhetoric about gangs. They are an identifiable group of individuals that we should deal with in a prosecutorial way prior to them committing homicides. We can take action against them, we know who they are, they can be identified, and that is the emphasis and the concern that I tried to express last week.

I am making the point that in the last several years where this problem has become clearly evident, the gang problem, my concern is that there has not been federal and county Grand Juries convened, or if there have been it is news to us, and everybody on Grant Street seems to know about Grand Juries convening for everything else at the federal and county level, so I got to think that if there was some Grand Jury activity in this issue that we probably would be hearing about it. My point is that Grand Jury activity should be initiated, and I believe the RICO Statute should be used against youth gangs here in the City of Pittsburgh. In fact, in the past the RICO Statute has been used successfully in Chicago as well as New York City, there are a couple cases, in particular, some 25 defendants were named in a street gang in Chicago in a federal action by the U.S. Attorney there, and in Chicago 38 defendants were prosecuted and pursued with Grand Jury and the RICO Statute indictment of over 250 separate criminal acts of drug violations, weapons and drug activity.

As I stated last night, so called juveniles that use guns and commit violent crimes should be prosecuted as adults, but I am making the statement very clearly, further, that not only should they be tried as adults but they should be tried in the federal system and not the County Court System, through Shuman Center and through the county judiciary, I believe it to be a greater deterrent and it is, in fact, more threatening. If you talk to some of these individuals out in the community they will be the first to state that they are more threatened by the federal activity of the U.S. Attorney and the acts of the Federal Court System as opposed to what happens at Shuman and through the county system.

I make a point again stressing, no way did I criticize the good work of the Gang Suppression Unit locally, they have a

tremendous job, they have been hard working, I have met many of them and many of them have attended our Block Watch meetings. I am saying that they need to be encouraged and their good work needs to be expanded. That was the theme and that was the intent of the resolution's.

I am very clearly defensive and I can defend any action I have taken on this Council. I explained historically that I did not support the notion of curfew legislation, I did not support it because I do not believe police should be babysitters at 10, 11, 12:00 at night. I think a curfew should begin at the home. I think we have limited police resources, police officers, especially at that time of night, especially on the weekend, on Friday night, cannot be out responding to 911 or dealing with all these other issues that we are raising if they have to deal administratively with the curfew. It sounds like a nice thing for us to say that we are doing something but on a practical level it does not work.

I do not support the gun control legislation, and I am proud of it, because I think it is a misguided approach. In every community across the country, where there are these so called gun control bills, homicides and violent crimes have actually increased. It is a nice way for elected officials to say they are doing something about the crime. We should focus our attention, as the Mayor has, on the Gun Task Force to go after those individuals who have violated gun laws, we should not make legal residents criminals because they want to own a particular gun. We should put the emphasis on those individuals who should take responsibility for using a gun illegally.

And, I did not support the Anti-Drug Loitering Bill, and I am proud to say I do not support that bill, because I think it would have increased racial polarization in this City, I think on a practical level it was not a workable approach, and I respectfully disagreed at the time with my colleagues who supported those measures. We had a principle difference of opinion on those measures and I will stand on my record, either pro or con in those different measures.

I was a little bit disappointed that I was attacked, nowhere did I attack my colleagues last week, because I took an initiative to raise a concern about what I perceived as inactivity by the U.S. Attorney or the County District Attorney, I did not attack any of my colleagues, and I think it was inappropriate. I did not mind if colleagues spoke in opposition to me from my stands. I mean for Mr. O'Connor to call me a hypocrite for not voting on the Gun Bill, is that directed also at Mr. Onorato, who did not vote for the Gun Bill? I mean let's be clear, I do not mind being attacked on the issue but I think the way some of my colleagues characterized the Press Conference was offensive to me. I think we had a principle difference in agreement on curfew, on anti-drug loitering, and this bill on

guns was divided in this Council Chambers. With that, I have had my say.

The Chair:

We will go to the co-sponsor of the bill. Mr. Cusick, you have the floor.

Mr. Cusick:

Thank you. I would just like to read a brief statement that I issued to the media earlier today, and that is that, today, that me and Councilman Ferlo have amended by substitution the controversial resolution aiming at toughening law enforcement and prosecutorial efforts against gang violence.

The revised resolution directs the Solicitor and the Chief of Police in consultation with City Council to convene a community and law enforcement conference on the issue of gang violence in the City of Pittsburgh. This resolution isn't asking the United States and/or the District Attorney to defend themselves but to share and to help us defend the citizens of the City of Pittsburgh as we as taxpayers deserve. Unfortunately, the prior resolution gained more notoriety from its presentation rather than from its substance.

The neighborhoods of Pittsburgh as well as Allegheny County are frustrated, we watch the news every night and we see more and more senseless violence, we see children and innocent members of the community murdered, even as they sit unknowingly in their homes. The violence must end.

We, the leadership of Pittsburgh, in addition to expanding the Gang Suppression Unit, must look seriously at the alternative method of prosecution, such as utilizing the Federal Laws and accessing the Federal Juvenile System when federal crimes are being committed.

I look forward to the opportunity to sit down with the United States and District Attorneys to discuss and exhaust all legal options on how to end the gunshots on our streets and bring these violent thugs to justice.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Mr. Onorato. Obviously all of us, including myself, have positions on the Anti-Drug Loitering Legislation, proposed curfew legislation and the banning of certain weapons here in the City of Pittsburgh. My positions on those issues

are clear, I am not going to state them here today, and the reason for that is -- obviously, we all have the right to discuss them -- but I hoped that this discussion would not be on those issues but the issue in front of us today.

I support all responsible legislation that addresses gang violence here in the City of Pittsburgh, especially when it comes to violent crime here in this City, and I think we all have taken noble positions on different issues on how they should be addressed.

I think gang violence, obviously, and gangs cross all boundaries, all neighborhood boundaries, here in the City of Pittsburgh, including neighborhoods in my own district. I think they are black and white, young and old, some are very, very violent and some are not, however, we have to address the issue.

I really want to commend my Council colleagues, Mr. Ferlo and Mr. Cusick, because they have done something that is very important, and hopefully it does not contradict State Law, and if it does, State Law needs to be changed, and that is, we have to put a face to these gangs. They are not an unknown quantity here in the City of Pittsburgh, but they are boys and girls, men and women who are committing violent crimes here in the City, and by giving a face it gives all of us an opportunity, especially our Block Watches here in the City of Pittsburgh, to be very cognizant on who they are, who needs to be watched and who cannot be trusted here in the City, and if State Law prohibits that for any reason, either because of the crime that was committed or because of age, then we need to address that law itself.

I believe there is cooperation going on, however, in the City. I think we have to be very careful that we do not make the good people, men and women, the targets of any legislation or any of our discussion or dialogue, and we have to make sure we separate ourselves from, who I would consider, bad people, the people that are committing these crimes.

So, obviously, I am very pleased, though, the legislation has been changed in such a way that we continue to build bridges across law enforcement officials and across different bodies, government bodies, we continue to build cooperation and we continue to make sure it is not on a confrontational basis but one of reaching out.

I see the frustration of the colleagues that first presented the original legislation and I feel as though at times that I also am frustrated, because it is a heck of a problem that we face, one that I think we would be very tough on the law enforcement side, one that I have always supported very tough, law enforcement initiatives, but one that I think this Council, each and all of us, every one of us, have supported the other

flip side, and that is to make sure that proper opportunities are there for young people to take advantage of, and we supported a number of programs, including the Teenage Awareness Program in my district with 169 participants.

But, as I stated before, be assured that there are a lot of kids out there and a lot of people at risk that we could help, but there is also young people out there and adults that cannot be helped, that are terrorists, that are thugs. When people talk about putting down their arms, those are some of the things we hear in Third World countries. So, we are dealing with a very violent group of people.

And, again, if Mr. Ferlo and Cusick, in this proper legislation that is before us today, believe that we should reach out in a more of a formal way to bring City Council into the fold, I support it, because there has been meetings, there have been meetings with the D.A., the U.S. D.A., there has been meetings with the Mayor's Office, the Commissioner's Office, but we have not been invited to those meetings, and I think that we address those issues on a daily basis in these chambers, and I believe that is what the legislation does before us.

Now that it has been reported by the media I feel free to bring this up today. I was aware of it last week but I did not want to even mention it to anyone, including the media because I thought we would put our colleagues more at risk, but now that one of the radio stations is reporting it, that both of our colleagues received threats, both Mr. Ferlo and Mr. Cusick, and that is being reported today. I think we have to stand next to our colleagues in this fight against gangs, and we have to hopefully support them in this legislation that is before us today. Thank you.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

Reading this legislation, to convene a community and law enforcement conference, I certainly would support. I think it is in the right direction, we have a lot of small meetings going on and a lot of times City Council is excluded from these meetings.

So, I think that is very important. Reading it, it says, we want to pursue legal ways to be tough with prosecutors and the goal would be between the community and the police effort to apprehend and prosecute gang members. I certainly support that initiative.

Section 2, I like the way it is worded, the Chief of Police and the Bureau of Police are directed to invite, and I stress the word invite, the U.S. Attorney and the D.A. and interested community organizations and community leaders to come to this conference.

And, Section 3 -- although in Section 2, I do not know if the word Solicitor -- I would possibly make an amendment that the word Solicitor be taken out and maybe the Mayor of the City of Pittsburgh and the Chief of Police with the Bureau of Police would invite the interested parties.

And, Section 3 -- and then it does say about the Mayor -- to request the Mayor formally to commit additional police personnel to address the gang problem.

I certainly commend my two colleagues for these three initiatives, but I would -- and I will support these three as worded. I would like to substitute the word Solicitor for the Mayor because he is really the leader of the City and get away from any indication that we would need a Solicitor to invite anybody.

Mr. Ferlo:

The only objection I have, I have no problem with the Mayor extending the invitation, obviously, in most cases that would happen, the reason why the Solicitor and the Chief of Police, these are the two individuals -- the Solicitor does have legal authority to represent the City, and I think we are asking the Solicitor to not only defend us in court cases but to take an advocacy role as the legal counsel and advisor to this body on these issues of the RICO Statute and other issues that may be discussed at a meeting with the U.S. Attorney. The Solicitor there is listed on a practical level in terms of wanting some guidance legally as Council's legal guidance person.

The Chair:

Councilman Cusick.

Mr. Ferlo:

I have no problem saying the Mayor and the Solicitor --

The Chair:

Councilman O'Connor still has the floor, but in response to his request, Councilman Cusick.

Mr. Cusick:

Under Section 3, Mr. O'Connor has some concerns on the way of the wording of, commit additional police personnel. I just want to make it known that, if I may, to the Clerk, the City of Pittsburgh is hereby authorized and directed to forward a communication to the Mayor of the City of Pittsburgh requesting a formal response to the need and to commit additional police officers. So, I think you need to mention that, that we are just asking for a response for the need.

Mr. O'Connor:

Well, I certainly agree with that. I want to make that clear. I agree with the more police officers you can get, whether it be a task force -- and the Chief of Police is here maybe to help us with suggestions, if we want to go that far. I am certainly supporting that. The word Solicitor, I thought maybe should be, the Solicitor should be invited. I just did not want to have any indication of last week's suing the D.A. I want to make that perfectly clear for the record. I will certainly support this and mainly for to support my colleagues, but I want to make it very clear that I -- this has very little, if nothing, to do with last week's proposal and that I would not want to support last week's at all, and I think most members of Council, as Councilman Ferlo said, he did not support it. For the record, I want to make it clear, I am not supporting what was proposed last week but would support these three initiatives by my colleagues.

Mr. Ferlo:

I thought I explicitly stated that in the beginning.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Thank you, Mr. Chairman. And, I will be voting in favor of this resolution, only as amended.

And, I was very embarrassed by what happened last week, I will be very honest and open with my two Council members, and you are asking why some of the members had the reactions they had, I will try to explain it to you, and the issue of whether to expose photographs or not is separate for me, that has nothing to do with what I am going to say, that is not where I had the problem, but what you have to realize is that, when one member of Council -- or two members of Council act, that it falls upon all of us, and I think what went on last week is something that used to go on here years ago and that I am

hopeful won't go on in the future, and it is just basic showmanship. As far as I know there was never any telephone call made to Mr. Colville or to Mr. Thieman, and I have been practicing law for over ten years, again, I have done a lot of criminal defense work, I have worked against the U.S. Attorney's Office, I have worked against the Allegheny County D.A.'s Office, both of the prosecutors there, both of those offices are excellent offices, I was embarrassed that we were without any kind of information -- or members of this Council without any information would make accusations against these two public officials, and that, yes, you can call that politics if you want. If we are going to take a shot at somebody, though, let's know what the heck we are talking about, and I was embarrassed by that very much. There are telephones around here, you can call people, and I realize -- and I think both members of Council that were involved in this realize how law enforcement works and how Grand Juries work, they work in secret, we don't work in secret, we work in public. Law enforcement cannot announce, or should not if they are doing a good job, announce exactly what they are doing, who they are studying, what they are having Grand Juries on. Grand Juries, by definition, are secret proceedings, everyone that is in there is sworn to secrecy and is not permitted to disseminate in public what goes on before a Grand Jury, and if information gets out of a Grand Jury it should not have and the people that have got it out of the Grand Jury are subject to criminal penalties.

What has happened now is -- again, the result is we glorify gangs, gangs are the focus, the people -- the wanna-bes want to be that much more. These people are in the headlines all the time. Enforcement, which is what we are talking about here, is certainly something that we need to work on when it comes to gang violence, I do not dispute that, and everybody is concentrating on that. There is no doubt in my mind that the District Attorney of Allegheny County and the United States Attorney are both concentrating on seeing what they can do in the enforcement end. We should be concentrating more on the root causes, and that is more of our job than worrying about the enforcement end of this.

And, the worse thing I think in the initial legislation on this was to file lawsuits, lawsuits to order a public official to perform a discretionary act. I think a first year law student would know that lawsuit would have absolutely no chance to survive, you cannot order another public official to do something that they have the discretion to act on or not act on. So, this was doomed for failure from day one, and that is part of the reason that I was very much embarrassed by it. You can file these Mandamus types of lawsuits but only if it is a ministerial type of act that a public official is required to do, not an act within their discretion.

And, so, I am thankful that this has been amended as it has been, I am not thankful that we do not have an apology forthcoming, and I do state on the public record my apology to the two public officials and their offices that suffered unwarranted criticism in this matter.

The Chair: Councilman Cusick, do you want to respond?

Mr. Cusick: Yes. First of all, Mr. Hertzberg, I never asked you for your approval. As far as what I did last week, I am very proud of. I was elected by District 4 people, I do not need your approval or disapproval to this for what my actions are.

As far as whether or not my approach was appropriate, that is to be seen. I do agree with Mr. Ferlo, when I put those faces up, I wanted to identify those people. I think it is time that someone had guts on this Council to identify these people. I wish that more people would do things like that. And, I am very insulted that you would think that I tried to embarrass this Council, in no way would I ever do that.

The Chair:

Do you want to respond to that, Councilman?

Mr. Ferlo:

Well, I just very much appreciate the grade school lecture from Councilman Hertzberg, but I respectfully disagree.

The Chair:

For now on let's just go around the table. Councilman Cohen.

Mr. Cohen:

Mr. Chair, I think that is out of order, I really do. We are all here trying to work towards the same solution, and that is a safe City. So, I think to characterize people's remarks as a grade school lecture, or as this or as that, is absolutely out of line in this Council. I think that Councilman Ferlo and Councilman Cusick are prudent to change this legislation. I did not support the original legislation, I will support the legislation in this form. But, everyone of us is angry and frustrated about the escalation of gang violence in the City of Pittsburgh, every single one of us, and we wake up every morning and get angrier and angrier because we hear about the innocent victims from the previous night's shooting, and this is an escalation of violence that is threatening the future of our City and we all know that and we all need to be working together.

So, I mean I have to agree that the answer is not -- the answer is not to take shots, verbal shots at our prosecutors, at our District Attorney and our U.S. Attorney, the answer is to work with them and try to come up with the solutions to this problem. And, that is why I think it was prudent that you change the bill, that I would be happy to convene this conference so that we can see how we can work together to ask the U.S. Attorney, the District Attorney what they need from us, we can help now in their efforts.

My understanding is that Grand Juries have been convened and are ongoing on this and that they cannot publicly discuss who exactly they are going after, but that there are things that are happening and we need to learn more about what they are. At the same time I agree that we got to escalate our response, too, and that means to bolster the Gang Suppression Unit. The Chief of Police is here today, which I appreciate him coming here today, I want to have a discussion with him about that there are an identifiable group of individuals, there are, but it is not City Council's place, in my view, to -- we do not have arrest and prosecutorial powers, we do not, the U.S. Attorney does and the District Attorney does and we ought to be working with them to be able to arrest these individuals. There are a lot of things that are going on right now that we need to be able to work together with the other authorities.

I will give you just one example. Last Thursday night -- I think that all of us were invited -- I hope that all of us were invited. Last Thursday night in Allequippa Terrace, in Councilman Smith's district, there was a meeting where every -- virtually every law enforcement agency in Western Pennsylvania was there to exchange information about gangs, the City of Pittsburgh Police were there, the Housing Authority Police were there, the suburban police were there, the federal enforcement officials were there, and it was a very, very productive meeting, where people from different areas of the City and different levels of government, all cops, were able to say, hey, what's going on in your neighborhood; these are the gangs that are working in our neighborhood, they purely have gone from yours to mine, and a lot of information was exchanged, and I think it was a very, very productive meeting. What I would like is for us to be involved in that kind of cooperation, to work together to find solutions to this problem.

And, I am going to restrain myself on Councilman Ferlo's points about the gun assault weapon ban and the Anti-Drug Loitering Legislation indifference to Councilman Ricciardi's point that we should not be rehashing those issues here. I also do not think it was proper for anybody to bring up those new issues when we are talking about gang violence here.

I will support this bill, I think it is a much better effort to bring us all together once again. We did have a

meeting five months ago, as Mr. Ferlo has stated, and we need to find out exactly what results have come from that meeting because we do not know, and I think it is time to reconvene a gang conference, a conference to -- for law enforcement officials on gang violence, and I think we should do that very, very soon.

Mr. Ferlo:

Mr. Chairman, I want to make it very clear, my acts are not acts of frustration, I am not frustrated here today, I am very direct and very clear. I believe strongly that the U.S. Attorney and the County District Attorney are not doing their job relative to the earlier discussion I had at the Press Conference and today's discussion. If others are frustrated, whatever other comments you want to attribute, attribute them to yourselves, don't speak for me. Thank you.

The Chair:

Councilman Smith, any questions, any comments?

Mr. Smith:

I am going to support the bill in substitution and I will spare the last week bill that came up, so --

The Chair:

I just want to make a few comments. One, I am glad to see that this bill has been totally amended and changed. I agree with Councilman Ferlo, I do not think there was any support here on Council of the previous bill passing or being approved and upheld by the Mayor.

Let me just say a few things. I was reading the amended bill here, and I will say to Councilman Hertzberg, that I thought you spoke very eloquently of the frustration some of us might have felt. This has been a very hot issue over the last three weeks, and if you look -- and the reason I am really upset over all of this, if you look at the amended language, it is almost verbatim, if you pull the record, and I have a copy of it. When we had the long discussion over the Gang Summit coming here, when I spoke there I actually said what we should be doing, instead of having a Gang Summit, is be sitting down with law enforcement, with tenant councils, with citizen councils, and I can go on and on, word for word exactly what is in here, and I was crucified up and down.

Councilman Ferlo says he does not understand why he was attacked, he does not attack people; well, I can pull that out verbatim, too, the record, it was one of the worse attacks we ever had on me in this body and it was a personal attack and not

on the issue, and I still am upset over those types of verbiage attacks and calling it politicking and actually being accused of being a racist for actually saying I do not want the gang looters from other cities, and now Councilman Ferlo is saying, they're gang members, they should be prosecuted, we should be putting their pictures up on a board. Aren't these the same types of individuals that are coming in here, but because they're a leader, we want to sit down with them now. I think we all feel the same frustration, and I cannot help wondering that this was just a response to the pressure that Councilman Ferlo received from the way he attacked me and not supporting it in my view.

I am going to support this because this is exactly what I said a few weeks ago. I am going to support this because this makes a lot of sense. I, too, last week was very upset that we were attacking the D.A. and attacking the U.S. Attorney. I remember the meeting that was held here several months ago and I remember asking the U.S. Attorney right out, why don't we use RICO, and he explained and he had a good answer of why RICO is very difficult to use in prosecuting. Anyhow, I do not know if my colleagues remember this, but he sat here and explained that RICO is very difficult to use on gang members because of the enforcement powers and the punishment powers, he thought he could actually go up to gang members using different laws, and to me it made sense because he knows the Federal Laws a lot better than I do when it comes to prosecuting gang type individuals. But, if RICO can be used, he assured us he would use it in the work.

But, they are the types of meetings and working meetings, which I thought were very helpful, we had representatives from the D.A.'s Office, we had the U.S. Attorney, we had State Senators, we had State Representatives here, we had local officials from all different departments, it was a healthy meeting; as a matter of fact, it was an all day affair here, and I thought that was very productive. So, I do not see this as much different than what I brought up a couple weeks ago.

And, I think that all gang members, what Councilman Ferlo said, should be treated as gang members, these are organized crime individuals and they should be prosecuted. I just do not understand why there is a change of heart over the last ten days but I am glad there is and I will support this piece of legislation.

But, Councilman Ferlo, I, too, was one of the individuals that attacked you in the paper, I know you pointed at Councilman O'Connor, I am the one that used the word, the height of hypocrisy and bogus legislation, and the reason I said it was hypocritical because I could not understand why you had the verbal attacks on me ten days earlier when I basically was saying the same thing about gang leaders that you are saying

right now, except you went a step further and put the pictures on the wall and pointed to them, yet I do not see the NAACP come down on you, I do not see the local Courier put a nasty headline about you. I resent all that, I am fighting this as much as you are. But, for me to be characterized by my colleague -- Councilman Ricciardi -- that we're racist, that was ridiculous. I feel very strongly about gang members coming here for a so called peace conference, these are the same individuals that are reeking havoc across the country in all of our cities, the same people you are saying we should prosecute, put them behind bars, put their pictures up, show everybody who they are, that is twice as bad as what I suggested to do, but I am going to support it because I agree we need to go after these individuals.

Stating that, I will support the legislation.

Mr. Ferlo:

Thank you, Mr. Chairman. First of all, let me respond because I think you presented some apples and oranges discussion and I want to be clear.

First of all, I hope you are not saying that I accused you of being a racist because I have never made any such accusation, nor characterized any --

The Chair:

You accused me of playing pure politics with you.

Mr. Ferlo:

Fine, but please do not accuse me of accusing you of being a racist, because nothing happened, there was no such discussion or a debate at the table during that time.

The Chair:

Your comments went to a lot of it.

Mr. Ferlo:

Well, in response, let me make clear again, and it may not be a popular view around this table, and I still continue to disagree with Mr. Onorato, I have never opposed, nor would I ever oppose, when Mr. Onorato made a mention an argumentation over this notion of a motion on the Gang Peace Summit, he made reference to that we should be meeting with Block Watches and other groups, I say, God Bless them, I do that, every night I am at Block Watch meetings. I would never oppose any initiative and any initiative brought to this table I would support, period.

As far as this so called Gang Peace Summit or the activities over a week ago on the North Side in some homes of individuals within the community, it may not be a popular view at this table and some may view it as in violation or in disagreement with my actions on gangs here, I said in the debate on the Gang Peace Summit that I believe in the carrot and stick philosophy. I support and express cautious optimism towards any initiatives within the community at the gang level or within the neighborhoods to bring about peaceful resolution of any conflict that exists, whether it is the activities this past weekend in the homes of North Side residents or whether it is the so called Gang Peace Summit meeting, which is presumably happening here in the City of Pittsburgh, I do not see one contradicting the other.

There is a difference between demanding more pre-emptive legal action against known gang activity, I support that, but at the same time there is killing, there is carnage on the street. If people within and indigenous in the community want to come together and deal with whatever creative framework, mediation, conflict, resolution, laying down weapons, whatever, I think we should express cautious optimism to that.

And, I made the example, if the Arab-Israelis came to town and wanted to sign a peace accord, we would roll out the Presidential red carpet, and I think the same holds true here. I do not see a contradiction here. I am saying, let's go after individuals who are known gang leaders and at the same time if activists within the community, especially within the African-American community, want to deal creatively with the problem in a manner which they see an ability to address it, I express cautious optimism and I am very supportive of that effort. I do not see a contradiction.

The Chair:

Mr. President, if you want to compare apples and oranges, I think you just brought it in again, and you ended with, if the leaders of the African-American community want to do that. If that isn't implying that I do not want to deal with the African-American leadership, I do not know what is, and there is an under-current of racism in that comment that is ridiculous. What I said, and I will say it again --

Mr. Cusick:

Point of order, Mr. Chairman.

The Chair:

I have the floor. I did not interrupt you, Mr. Cusick.

Mr. Cusick:

Point of order.

The Chair:

Point of order. What is your point of order?

Mr. Cusick:

I would like to vote on this bill and you and Mr. Ferlo can have your argument later.

The Chair:

I never, never stopped anyone from talking on this body. I am going to have my word, I was the last one to speak, unless you want to vote on silencing me, call the vote, but I never once silenced anyone today or on any issues. As Chairman of this meeting, I want to continue talking.

Mr. Ferlo:

I am not interrupting you. Speak.

The Chair:

What I wanted to say, what happened on the North Side last week, I was in full support of. And, let me stress, that peace agreement on the North Side was done without bringing in national gang leaders from other cities. That was done with North Siders sitting down and talking, which I fully support and I will continue to support. In no way did I say I was against anyone talking about laying down guns and a cease fire, that is not what we heard what was coming here. And, I think that when you accuse me of a politics -- last week's legislation was pure politicking in response to the pressure you received. The bill in front of us is 110 times better than what was in front of us. I will support this, because, for whatever reason it is here, it is a good bill and we will continue to fight it as a body, regardless of why, your comments and comparing apples and oranges of what we were trying to do a few weeks ago, that is fine, but now we can all go on the same page. And, you reiterated what I said a few weeks ago and it is in writing, now let's go forward with the vote.

Councilman Ricciardi.

Mr. Ferlo:

Respectfully, we are not on the same page.

Mr. Ricciardi:

Mr. Chairman, I will be very brief, and my comments will not be used emotionally as charged at some of my colleagues. But, I think something important came out on this and that is that the citizen, the taxpayer in the City of Pittsburgh realizes the responsibilities of different elected officials. For example, it is very important for the residents of the City of Pittsburgh to realize that, Pittsburgh's City Council, yes, we are advocates, and, yes, we could pass legislation only within the frame work of what is given to us by the state, and, yes, we part belief we could fund and we could pass budget, but now what we have done is we have showed the City taxpayer that City Council, we are limited in what we could do, and I think Mr. Cohen was bringing this out, is that other people have the expertise in the prosecution and the arrest.

I guess, in conclusion what I am going to say, what is very important to the City taxpayer is, not only do you need to put us on the hot seat but now you have to realize that, yes, we can fund the budget, we can fund the police, yes, we could pass legislation only within a very limited frame work, but now you have to look at others, you have to look at the Mayor, you have to look at the Commissioners, you have to look at the D.A., you have to look at our federal officials, you have to look at our U.S. Senators, our U.S. Congressmen, our State Representatives and our State Senators. Am I throwing rocks now at these officials; no, I am not, but am I saying that now the taxpayer out there should not only call Gene Ricciardi and others at this table but should call Congressman Bill Coyne, Senator Specter, Senator Wolford, and others, and I think that is a very important point that I really want to send out to the viewing audience today.

The Chair:

On the bill as amended, all in favor? Opposed? The ayes have it.

Which motion prevailed.

(END OF COMMENTS)

PREPARED BY: CHERYL L. WILDS
STENOTYPE REPORTER

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

April 19, 1994

No. 16

Municipal Record

ONE-HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER ..City Clerk
KURT J. SALAC.....Asst. City Clerk

Pittsburgh, PA
Tuesday, March 22, 1994

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

ABSENT:

Mr. Darkins

The Chair:

At this time I would ask you all to please rise for the Pledge of Allegiance and remain standing for a moment of silent prayer.

We are very honored and pleased this morning to have a student, Eric Jankowski, from the Prince of Peace School on the South Side in Councilman Ricciardi's district. He is a 6th Grader. We would like him to come forward to lead us in the Pledge of Allegiance.

Also, we are pleased that his mom is here, Wanda, and his grandmother, Wanda. We want to say, hello, to you also, Eric.

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

Eric Jankowski:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you all. Thank you, Eric.

We would like to present to you from the City Clerk a flag of our Country and the City Seal of the City of Pittsburgh. Thank you for coming down today.

We have a number of guests here in the audience today. At this time I would like to call on Councilman Cohen.

PRESENTATIONS

Mr. Cohen:

Thank you, Mr. President.

Good morning everyone. If the people from Big Brothers, Big Sisters would come up here, please. Good morning.

I am very honored this morning to have two proclamations, both relating to the youth of our City, and the first one is for Big Brothers, Big Sisters of Greater Pittsburgh, and I would like to read the proclamation.

MR. COHEN PRESENTS

No. 418 WHEREAS, there are a large number of at-risk children in our City who are in need of the individual support, help and counseling of a stable adult; and

WHEREAS, for the past 29 years, Big Brothers and Big Sisters of Greater Pittsburgh, Inc., has met the need by providing one on one service to over 3000 children through the tireless commitment of its volunteers; and

WHEREAS, Big Brothers and Big Sisters of Greater Pittsburgh, Inc., is entirely self-supporting, receives no government funds, is not a United Way agency, and does not charge for its services; and

WHEREAS, all Big Brothers and Big Sisters undergo rigorous screening and agree to make at least a one-year commitment to their "little"; and

WHEREAS, due to the selfless volunteerism of Big Brothers and Big Sisters, many children's lives are immeasurably enriched.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Big Brothers and Big Sisters of Greater Pittsburgh, Inc., for serving as friends and mentors to children; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares April 17-23, 1994, Big Brothers and Big Sisters Volunteer Appreciation Week in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. SMITH seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much, members of Council.

Big Brothers and Big Sisters has always been an important organization but particularly now, when so many of our youth are challenged, are threatened, are at the point where they are losing hope, some of them have even lost hope and are looking to somebody who is an adult who can mentor them and care about them. So many of our youth are looking to somebody who can care and who does care and who takes them places and really looks over them, and that is what Big Brothers and Big Sisters is.

I would like to introduce the people who are here today, including some Big Brothers and Little Brothers and Big Sisters and Little Sisters. First I would like to introduce a good friend of mine, Steven Irwin, who is Vice President of Administration for Big Brothers and Big Sisters and is on the Board of Directors of Big Brothers and Big Sisters. He is also next year's Board President.

Steve became a Big Brother while he was an undergrad at Harvard, and his "little" subsequently attended college on scholarship and is now employed by Chase Manhattan Bank and the two of them continue to have a relationship.

Along with Steve we have Judy Eakin-Schmidt, who is the Executive Director. Come on up, Judy, so we can see you. This is the Executive Director of Big Brothers and Big Sisters.

We also have Phil D'Antonio, who is the Program Director of the group. We have two Big Brothers and -- excuse me, two groups, a Big Brother, a Little Brother, a Big Sister, Little Sister. The Big Brother is Frank Greco, who is employed by IBM, and his Little Brother is Eric Grejda.

We also have Big Sister, Rebecca Semmer, who is employed by the Hillman Foundation, and Little Sister, right to my left here, Monique Givner.

So, I want to just congratulate each and everyone of you and thank you for being here today and present this proclamation to you, since you are right here. Congratulations.

Ms. Semmer:

Thank you.

I want to thank Councilman Cohen for sponsoring this proclamation, and I want to thank all of City Council for giving this to us. Although our office is in Oakland we serve children in every single district. Over half of our matches are from the City. There is a great need within the City and we are trying to serve those children. Currently we still have 200 children waiting for Big Brothers and Big Sisters. We are turning away an additional 500 children a year because we need more volunteers to help these children.

So, I want to thank you for recognizing our volunteers and appreciating everything that they do for the children.

Do you want to say anything?

Monique Giver:

I thank Becky for being my "big". That is all.

Mr. Cohen:

I thought it was going to be longer than that.

Ms. Semmer:

I thank Monique for letting me be her "big", she has been great and I really enjoyed it and I cannot believe our year is almost up, and I hope we can continue our match for another year. Thanks.

Mr. Cohen:

Eric. Eric or Frank, either one of you, would you like to say a few words? That is okay, you do not have to. Would you like to? Come on up. Give a plug for IBM, at least.

Mr. Greco:

I just want to say, regarding Big Brothers, it has been such a rewarding experience for me. The little bit of time I

invest every week has been really paid back to me in so many ways. I would like just to say that I really believe in the organization and with a lot of good leadership from the community, as well as people on the board, have done a great job.

So, I would just encourage everyone to invest a little bit of time and you will see the rewards come back in so many ways.

Thanks.

The Chair:

Thank you.

Mr. Cohen:

Thank you. Let's get a picture.

The next proclamation is for Project DARE. Would the two esteem police officers come up here, please.

Members of Council, the other proclamation I have this morning is for Project DARE, and we are very fortunate to have with us Sergeant Regina McDonald and also Officer Ron Franz to tell us about project DARE. I am honored to read this proclamation.

MR. COHEN PRESENTS

No. 419 WHEREAS, Project DARE is a national drug and alcohol abuse prevention program which originated in Los Angeles, and is offered by the Pittsburgh Bureau of Police to Pittsburgh public, private, and parochial schools; and

WHEREAS, the President of the United States through the United States Senate has proclaimed Thursday, April 21 National DARE Day; and

WHEREAS, the DARE program has been in existence in Pittsburgh for approximately eight and one half years, employs seven full-time officers under the direction of Sgt. Regina McDonald, and reaches approximately 42 schools per year; and

WHEREAS, the elementary program is designed to focus on students in the fourth and fifth grades to teach lessons in building self-esteem, managing peer pressure, drug use, and resistance techniques; and

WHEREAS, a new program has been instituted this year to reach middle school students which focuses on conflict resolution, prevention of violence, as well as substance abuse.

WHEREAS, on the national level, DARE is sponsoring a Kids Convention to establish a platform of issues about which American children are concerned; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Pittsburgh police officers who administer the DARE program and joins the President of the United States, through the United States Senate, by proclaiming April 19, 1994 DARE Day in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, members of Council.

DARE, by the way, stands for Drug Abuse Resistance Education. The two officers to my left are doing a terrific job in administering this program. I would like to present this to Sergeant Regina McDonald and have her say a few words.

Sergeant, congratulations.

Sgt. McDonald:

Thank you.

I would like to thank Councilman Cohen for taking the time to recognize the DARE program and fellow Council members for

your support of DARE over the past eight years, as well as our Chief Earl Buford and Mayor Murphy.

We could not have continued the program without your support. We currently have seven DARE officers assigned to the program and they could not be with us today because they are in the schools teaching. I would like to mention those names because they are not often recognized publicly for their fine work.

In addition to Officer Ron Franz, we have Officer John Snyder, Officer Brenda Cunningham, Officer Sue Lippert, Officer Peggy Rose, Officer Mildred Boyd-Johnson, and Officer Amanda Thomas, and without their fine work their program would not be the success it is today.

I would also like to inform you that we are going to be introducing a revised curriculum for DARE in the elementary schools in September which addresses not only the problems with substance abuse but with violence.

So, we are dealing with two major issues, two major problems that face our City and country, and we would welcome your continued support and encouragement of our efforts. Thank you.

The Chair:

Thank you very much.

Mr. Cohen:

Thank you very much, Sergeant.

Officer Franz will speak with his actions and not his words this morning, but he is doing a terrific job, too, and I just want to commend you and ask you to keep up the good work.

Congratulations.

The Chair:

Thank you, Councilman Cohen.

At this time I would like to call on Councilman Bob O'Connor.

Mr. O'Connor:

Thank you, Mr. President.

Would our guests, the organ and tissue donor, I have a proclamation here.

With us today we have Ted Struk, the Chairman of the Board of Family House, Dr. John Fung, the University of Presbyterian Medical Center, Pat Siger from Family House, Sonya Shumway from Family House, and a special surprise guest, my Aunt Helen Truxel came out to see us today.

MR. O'CONNOR PRESENTS

NO. 420 WHEREAS, up to three hundred people may benefit from the organ or tissue donation of a single person, yet only an estimated 4,500 people donate annually; and,

WHEREAS, someone dies every four hours while waiting for a transplant, and someone is added to a transplant waiting list every thirty minutes; and,

WHEREAS, the demand for organ transplantation among African-Americans is even greater because of the higher incidence of diabetes, high blood pressure, and heart disease - all of which can lead to organ failure; and,

WHEREAS, the Center for Organ Recovery and Education, Family House, and the University of Pittsburgh Medical Center all play vital roles in raising public awareness of organ donating, calling attention to the thousands of people who have benefited from organ transplants, and leading the way in organ transplant research; and,

WHEREAS, the hundreds of local organ donors, and their families, who have given so many people a second chance at life, are deserving of very special recognition for their courage, faith and generosity, and are being honored by a National Organ and Tissue Donor Awareness Week.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend all past and future organ donors, and their families, who have acted with such compassion and given the gift of life to so many.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 18, 1994 to April 25, 1994 to be "Organ and Tissue Donor Awareness Week" in the City of Pittsburgh, and encourages citizens to observe this week with appropriate activities.

MR. O'CONNOR moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. O'Connor:

I know we have events going on all over the City, I know we will be signing up people. I signed up a couple years ago. I would like Ted Struk just to tell us a little bit of what is going on and all that you can talk about it. Then last I would like my aunt to tell her experience, I know she waited a year and a half and we are glad to have her here.

Mr. Struk:

Thank you, Bob.

Good morning. On behalf of Family House, our Board of Directors, our executive staff, who are here representative by Pat Siger, who is the Executive Director, and Sonya Shumway, who is in charge of Community Relations and Public Relations, and on behalf of the many volunteers in this community that work at Family House in our three facilities and work with us as volunteers in our events in the community, as the golf event and the polo event, we are proud to be a participant and involved in the transplantation programs as part of our Family House protocols. We are also thankful that City Council will recognize the involvement of this activity and recognizes it as such, and so we commend its leadership, Bob, you for sponsoring this proclamation.

We want to also encourage the people of this community to come forth and work with us in an exciting program that is constantly involving for Family House as a participant in this program. So that we thank all of you for having this proclamation here and recognizing this event for the community, which is so important for many people, as you will see.

We have many distinguished members on our Board of Directors and it is my privilege to introduce one of them, Dr. John Fung, who is Director of the Transplantation Program at UPMC. Dr. Fung, will you come forward, please.

Dr. Fung:

Thank you.

On behalf of the transplant professionals and the health care, on behalf of the transplant institutions, of which we have four very excellent programs in Pittsburgh, and on behalf of the patients who are awaiting transplantation, I would like to thank Councilman O'Connor and City Council for this proclamation.

National Organ and Tissue Awareness Week is one that we get a lot of publicity in this during this week, but it is something, the principles, the enthusiasm, which we hope will extend throughout the year.

I would like to, again, thank you all and hope to see you involved in some of the activities that we have in transplantation and donation. Thank you.

The Chair:

Thank you.

Ms. Siger:

I am Pat Siger, the Executive Director, and I speak on behalf of a whole community, actually, that have for a decade has supported Family House and we in turn support the many families awaiting transplantation and post-transplant. Thank you.

Mr. O'Connor:

Sonya, come on up. Come on up and say a few words.

Ms. Shumway:

I will just say, thank you again for helping Family House and helping the many families who have traveled to Pittsburgh for medical treatment. Thank you.

Mr. O'Connor:

Thank you. Tell them how easy it is.

Ms. Truxel:

Oh, yes. I am Bob's Aunt Helen, and I was one of the fortunate people to get a lung transplant a year ago December, and I am here to thank all the donor families for myself and all recipients. Thank you.

Mr. O'Connor:

I know my Aunt Helen waited a year and half and the first thing she did after she got back from the hospital is went out and bought a convertible. So, I tell her to be careful and slow down but she doesn't. We really thank everybody for all you do for so many families.

Doctor, I know I almost was a match for a bone marrow and it was surprising to me how many people, friends, said, oh, don't do it, it's so dangerous. Do you want to tell them in 30 seconds, one minute, how easy it is to be a -- especially on a bone marrow. Come on up here so they can --

Dr. Fung:

Well, I think the donation of bone marrow are -- as you are still alive, organs and tissues, when you pass away, are considered gifts of life, and one thing good about being a bone marrow donor is you can enjoy and see what the fruits of your donation have been.

Recently we had a reception, where Stat Lenders was a sponsor at bringing together

recipients and donors of bone marrow transplant, and you talk to the people who have been the donors and it is amazing, they say they would do it again. It is really not a hard procedure, and we would hope that everybody here who would donate blood could be a potential bone marrow donor. So, it is really not morbid at all and it is really quite convenient to do.

The Chair:

Thank you.

Mr. Cohen.

Mr. Cohen:

Thank you, Mr. President.

I just want to commend Councilman O'Connor for bringing this issue up. This is the first time that I can recall, I could be wrong, that we have congratulated the people who are -- not only the doctors who are doing the transplantation but also the organizations like Family House, who are so, so important in supporting that role and it is long overdue. When we think about our assets as a City, one of them at the very top is that we bring people from around the world to save their lives and to benefit their families who are there supporting a loved one.

So, I just want to commend Councilman O'Connor and Pat Siger and Family House for doing such a terrific job, and the good Doctor, of course.

The Chair:

Thank you.

I have two nephews that have had kidney transplants, and for anybody who knows about the struggle, it came about as a result of a lot of hard work by volunteers in the community really educating people. So, I want to thank you.

Mr. Struk:

Thank you very much, sir, we appreciate the opportunity to be here.

The Chair:

At this time I would like to call on Councilman Smith.

Mr. Smith:

Good morning. Thank you.

This is a resolution that affects the City of Pittsburgh and its residents for the next 50 to 100 years, so I think that it is extremely important.

MR. SMITH PRESENTS

No. 421 WHEREAS, The Pennsylvania Turnpike Commission is proposing a multi-lane limited access toll road connecting I-68 in West Virginia to I-376 in the City of Pittsburgh, and has issued a final environmental impact statement (EIS) for the portion of the expressway from I-70 to Route 51 which is now before the Southwestern Pennsylvania Regional Planning Commission (SPRPC); and

WHEREAS, the Turnpike Commission has requested inclusion of the project by SPRPC on the transportation Improvement Plan for the region, and SPRPC will act on the Transportation Improvement

Plan for this region pursuant to SPRPC's responsibilities for allocating federal funds under the Intermodal Surface Transportation Efficiency Act of 1991; and

WHEREAS, the total cost of this expressway will be in excess of two billion dollars and will use up federal funds available to the region for at least ten years. This will prevent many major improvements in the urban transportation such as the proposed east-west SPINE Line; and

WHEREAS, the expressway would be a massive taxpayer subsidy for jobs and homes moving out of Pittsburgh and the lower Mon Valley; the "Economic development" promised to desperate people in the Mon Valley is imaginary. This Highway will not attract families and jobs from outside the region, but will move them from one part of the region to another; and

WHEREAS, the expressway will dump thousands of additional cars into Oakland, Squirrel Hill, and/or other fully developed (and congested) communities; and

WHEREAS, there are many negative environmental impacts along the proposed route of the expressway, including the destruction of homes, farms, wetlands, and wildlife habitat; and

WHEREAS, commitment to building the middle portion of this expressway will create tremendous traffic problems, not apparently solvable except by completing the highway to Pittsburgh regardless of financial and environmental costs; and

WHEREAS, given the design of the expressway and the limited amount of federal funds, Pittsburgh cannot afford to allow the middle portion of it to be built, from I-70 to Route 51, and rely on later study of alternatives for the portion connecting Pittsburgh; and

WHEREAS, considering only the less controversial middle portion of the expressway prevents rational review of the total expressway; and

WHEREAS, the partial Environmental Impact Statement is subject to legal challenge both because of this "segmentation" and because the Turnpike Commission has not adequately considered alternatives such as using comparable public dollars to improve the existing roads, bridges, and public transit system; and

WHEREAS, consideration of the entire expressway from I-70 to Pittsburgh and a complete Environmental Impact Statement is possible only if the Environmental Impact Statement and TIP inclusion of the partial project are rejected; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Pittsburgh opposes approval by the Southwestern Pennsylvania Regional Planning Commission of the Environmental Impact Statement which considers only the art of the entire expressway, and the inclusion of the incompletely evaluated project in the Transportation Improvement Plan; and,

BE IT FURTHER RESOLVED, that City Council urges that the Mayor of the City of Pittsburgh to join in the opposition and urges that the City's representative on SPRPC oppose approval of the partial Environmental Impact Statement and oppose inclusion of the partial project in the region's Transportation Improvement Plan.

The Chair:

We are going to depart a little bit from the regular order of proclamations, which as we all know are non-binding resolutions. I would like to suggest that we entertain a motion to approve for purposes of discussion.

Mr. Cohen:

So moved.

MR. O'CONNOR seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

I believe Councilman Smith may want a couple of the representatives to come forward to speak to the resolution. I will just kick it off by saying two things.

First of all, I sympathize with many of the concerns that are raised in the proclamation; however, from a procedure and legal point of view I question whether or not we should be doing this in the format of a non-binding proclamation. We have a legal status as it relates to the SPRPC and given the nature of this issue, I think we have to work -- whatever our position is going to be -- work in concert with the Mayor, who independently has a legal status as it relates to approving or disapproving of plans under the ISTEA Legislation and the rules of SPRPC, and clearly this type of an issue touches the actions of both the Planning Commission, the Urban Redevelopment Authority, SPRPC, this Council and the actions of the Mayor.

I think, having spoken to a number of colleagues, as well as Mr. Smith, there is unreadiness on the motion in terms of wanting to have some fuller discussion.

So, I am raising two things procedurally. One, what is procedurally the correct manner in which this Council would actually take a position, and we would like some ruling on that; and, two, when and if we do take the position, could it not be as a result of some further dialogue and discussion with the other levels of government, including the Administration.

So, I would suggest to Mr. Smith, with your permission, that we allow some of the debate to be initiated today in explaining the resolution further and that possibly we could hold this for two weeks to facilitate a meeting with the Administration regarding this posture.

Mr. Smith:

And, members of the general public.

I have no problem. The object is to raise the consciousness of what is going to affect the City of Pittsburgh over the next 50 years. That was my intent to bring this issue to the table. If we must do it as legislation, I have no problem with submitting that. I have no problem with learning the Administration's stand and position on this, nor helping my colleagues comprehend the impact that this expressway will have on the City and its economic status for the next 50 years.

So, I will be happy if we wish to hold this to allow a meeting to come through. I would not object to a motion to hold to schedule either a public hearing or a post agenda to address the issue.

We must take a stand, pro or con, early in this game because this is construction season, they are marching onward.

However it is pointed in the middle part determines how it comes into the City and we have to be pro-active instead of reactive.

So, if there is a motion to place this on hold while we call either a public hearing or a post agenda, I would --

The Chair:

Prior to acting on the hold motion, Mr. Smith, with your permission, if you have a couple representatives who did take the time to come down here today, I think it would be appropriate --

Mr. Smith:

Well, actually there is in the audience a number of individuals and a number had to leave, but I would call upon Mr. Robison, if he would come up and just give us 30 seconds.

Jonathan, 30 seconds. Come on up.

The Chair:

In the delegation of the audience, are there any elected officials or representatives of other municipal bodies, by any chance?

Mr. Robison, could you please come forward.

Mr. Smith:

I think you will have to come up here because that mike is not prepared.

I really want to thank my colleagues for addressing this issue, it is extremely important about the economic impact that this will have in our community and we need to be realistic how it is also going to affect the daily lives of our citizens.

The Chair:

Mr. Robison.

Mr. Robison:

Thank you very much. Thank you for considering this. Thanks on behalf of the number of -- on short notice, we have Dave McGuirk, who is head of Jefferson United, we have had several people from different groups in Oakland, including Carolyn Boyce of Oakland Planning and Development, we have Jay Rolling from the University of Pittsburgh.

A growing concern about this and the immediate concern is "foot in the door" financing. There are some serious problems of the connection to Pittsburgh, serious alternatives and question whether the money is available, the two and a half billion dollars, for the entire project, as well as how much devastation this will bring to Oakland or Squirrel Hill or Homestead or South Side or a combination.

Now, what the Turnpike Commission is trying to do is get approval for funding part of it through Southwestern Pennsylvania Regional Planning Commission, then they are going to get that part under construction this fall. According to their own estimates it will put 7,000 additional cars on Route 51, which they say is not a problem, their consultant says the traffic will dissipate. Anyone who has driven Route 51 knows how the traffic dissipates on Route 51. This will leave us with much fewer options. The Turnpike Commission is saying, we don't want to shoot you, we just want to put a loaded gun to your head.

So, this matter got increasing concern among citizens in Pittsburgh as well as people in Jefferson and the other communities that are directly affected by the middle portion.

I appreciate Council and Councilman Chris Smith giving this consideration and a hearing, so that we can take a position and so the Mayor can take a position before the Southwestern Regional Planning Commission votes this summer on the long-range plan. The Mayor has five votes on the Commission. Thank you.

The Chair:

Thank you, Mr. Robison.

Councilman Smith, with your permission, I think, given the nature of the issue and the need for a number of parties to come forward, both from the community as well as various governmental agencies, I think a formal public hearing would be the best opportunity to have the kind of discussion and dialogue and still afford an opportunity. We could have that public hearing be televised in

order to begin to make the community much more aware of the issues involved.

If it is appropriate, I would ask that there be a formal motion at this time to hold for purposes of conducting a formal televised public hearing on this issue.

Mr. Hertzberg:

So moved.

MR. COHEN seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

Councilman.

Mr. Smith:

Dave, would you like to say a word?

I think that it is important. When we hold this public hearing, this place should be filled, because this will affect thousands of lives, pro and con. So, I want the general public to be fully aware of that date.

The Chair:

Could you please identify again yourself, sir. Excuse me.

Mr. McGuirk:

Yes. On behalf of Jefferson United, my name is David McGuirk.

I want to thank Council for the opportunity to make a presentation, and I will be brief, but I want to emphasize that it is important to the City of Pittsburgh.

Mayor Caliguiri had a vision. When the East Street Valley took out 1200 homes, he made a promise that would never happen again, and when the Mon Valley Expressway was coming through in the late 1980s, he put a letter out to the high levels of government, along with Commissioner Foerster, that we are opposed to a highway, we are for

upgrades 837. We do not want to devastate our neighborhoods as we did with the East Street Valley Expressway. Today the Mon-Fayette Transportation project is going to accomplish the destruction of many communities and neighborhoods. Across America they are finding that highways create suburban sprawl, and a prime example to that is, right now in Cranberry Township the population is increased by three percent, compliments of 279 and 79. Out in Westmoreland County, in Murrysburg, it is increased. The Penn-Trafford School District has gone from double "A" to quad "A", compliments of 376, the Parkway East and 22.

If this road is connected from I-76 out to Washington County, Route 70 is dissipated, and the southern beltway connects to it. This is another green area of fields and open skies. This is going to be the third growth area in this region and the loss is the City, in homes, in economic growth. The City of Pittsburgh used to be the central core for marketing in the 1960s, in shopping, then you had the Ross Park Mall, South Hills Village, Century III, the next one is going to be out in Washington County and the City again will lose.

As far as loss of industry, when they opened up the Cranberry Township connection through 79, Allegheny County loss Sysko Distributing, which is a subsidiary of Kraft, and also Kraft Beer House. Again, jobs left Allegheny County and they will leave the City of Pittsburgh to go.

So, our point here is just to try to plant the seeds and have a vision for the next 50 years that the City is strong, to preserve the central core. If you preserve the central core you also have the ability to get people off the roads through mass transit. As you read in the Post Gazette articles, the Port Authority numbers are down and the reasons are, according to the Director, Millar, the new highways, Cranberry Township you build out here and Murrysburg, Washington County, you destroy the basis of the central core and you have no mass transit, you have a cutback in ridership, a cutback in funds, a cutback in services.

So, a long-range picture is preservation of the central core with the suburbs

connecting to Pittsburgh. That is our purpose, a larger agenda, not just to oppose a road in our backyard but to preserve the region. Thank you.

The Chair:

Thank you very much. I appreciate all of you coming down today, this is an important issue.

The reason why I asked my earlier question about what action we would take, whether it be a non-binding proclamation or a formal legal resolution of this Council, which conceivably could be vetoed by the Mayor, is, historically, in the East Street Valley Expressway experience we had as a municipality limited powers because of the State's eminent domain powers, and things of this sort. If I understand some of the legal issues involving municipal sign-off under the Ice Tea Legislation, I would suggest to this Council that we have a little more power this time to control what the outcome of this product is going to look like, that was not present in the East Street Valley debate.

So, those are some of the issues I would like the Solicitor to respond to pursuant to Councilman Smith's resolution, giving us some guidance on our exact powers legislatively as a municipality.

Thank you very much and thank you for your patience in the process but I think the public hearing will be a helpful vehicle to better educate ourselves about the impact, the tremendous impact this issue will have affecting our City, our jobs, our neighborhoods. Thank you.

At this time, hearing no other proclamations or guests in the audience, I would like to move to unfinished business.

UNFINISHED BUSINESS

The Chair:

Are there any matters to become before this body, either reports of special committees or unfinished business? I have

one matter and that is the final vote on appointments, I would like the Clerk to read those, and then if any colleagues have any other matters we can take them.

Would the Clerk please read the appointments. This is a final vote on various directors and appointments to the Human Relations Commission.

THE CHAIR PRESENTS

Bill No. 407

Resolution appointing Deborah S. Miskovich, 834 Ridge Avenue, Pittsburgh, Pennsylvania 15212 as the Director of the Department of General Services.

Which was read.

Also,

Bill No. 408

Resolution appointing John M. Hanna, 221 Knox Avenue, Pittsburgh, Pennsylvania 15210 as the Director of the Department of Water.

Which was read.

Also,

Bill No. 409

Resolution appointing William T. Simmons, Esquire, 657 Paulson Avenue, Pittsburgh, Pennsylvania 15206 as a member of the City of Pittsburgh's Magistrate's Court.

Which was read.

Also,

Bill No. 410

Resolution reappointing Alma Speed Fox, 401 Shady Avenue, Apartment 405B, Pittsburgh, Pennsylvania 15206 as a member of the City of Pittsburgh's Human Relations Commission for a term to expire April 1, 1998.

Which was read.

Also,

Bill No. 411

Resolution appointing Elizabeth C. Pittinger, 809 Grandview Avenue, Pittsburgh, Pennsylvania 15211 as a member of the City of Pittsburgh's Human Relations Commission for a term to expire April 1, 1998.

Which was read.

Also,

Bill No. 412

Resolution appointing Harry F. Kunselman, 4343 Ludwick Street, Pittsburgh, Pennsylvania 15217 as a member of the City of Pittsburgh's Human Relations Commission for a term to expire April 1, 1998.

Which was read.

Also,

Bill No. 413

Resolution appointing Denise D. Hughey, 1137 Brintell Street, Pittsburgh, Pennsylvania 15201 as a member of the City of Pittsburgh's Human Relations Commission for a term to expire April 1st, 1998.

Which was read.

Also,

Bill No. 414

Resolution appointing Sandra L. Weber, 557 Indus Street, Pittsburgh, Pennsylvania 15207 as a member of the City of Pittsburgh's Human Relations Commission for a term to expire April 1, 1998.

Which was read.

Also,

Bill No. 415

Resolution appointing Christine Dorice Williams, 3382 Webster Avenue, Pittsburgh, Pennsylvania 15219 as a member of the City of

Pittsburgh's Human Relations Commission
for a term to expire April 1, 1998.

Which was read.

Also,

Bill No. 416

Resolution appointing Dr. George Board, 975
Wellesley Road, Pittsburgh, Pennsylvania 15206
as a member of the City of Pittsburgh's Human
Relations Board for a term to expire April 1,
1998.

Which was read.

Also,

Bill No. 417

Resolution appointing Robert C. McClenahan,
330 Hailman Street (Rear), Pittsburgh,
Pennsylvania 15206 as a member of the City of
Pittsburgh's Human Relations Commission.

Which was read.

The Chair:

You have heard the reading of the
various nominations, all of whom were present
last week for interview and discussion, is
there any discussion or points to be raised? Mr.
Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President.

Colleagues, as a member of the
Pittsburgh Water and Sewer Authority and also
as the Chair of the Water Department, I am
very interested, obviously, in the new Director of
our Water Department.

I want to commend Mayor Murphy
for his strong nomination in John Hanna, and I
think the last three months shown by this
gentleman should lead the Water Department.

First of all, I think Mayor Murphy
was correct in appointing an engineer to the
Water Department, and that is for obvious

reasons. We have had a record number of water
breaks because of this past season, 285. In the
past, up to 20 percent of those water breaks were
contracted out, that means that we had to go
outside the Water Department and obviously
increase our cost. Out of 285 water breaks only
three went to outside contractors, I believe that is
less than one percent, and I think Mr. Hanna
should be commended for that.

Also, in the past, as a member of the
Pittsburgh Water and Sewer Authority, we had
an annual contract at \$250,000.00 that went out
to outside contractors in order to replace large
meters that would actually measure the amount
of water that we sell to outside communities. It
is not going to happen any longer, Mr. Hanna
has stood up and under the direction of Mayor
Murphy and a strong leadership by Mr. Hanna
and others, we are going to do that in-house.
That has never occurred before, and that is a
savings of \$250,000.00, and I think Mr. Hanna
has to be commended for that.

Also, he is going to continue the
practice, and the practice is, those that do not pay
for the water, should pay because those that are
not paying are actually subsidized by those that
are paying, but he is moving into more
innovative initiatives, and that is working with
those that are not paying in terms of
conservation of water and also a more flexible
but firm payment program. Again, I think that
needs to be commended. Obviously those
initiatives are handed down by Mayor Murphy to
the Water Department and John Hanna is
carrying those out. I am very supportive of Mr.
Hanna and hopefully this body will approve him.

On Deborah Miskovich, I think this
really says it all. I attended a neighborhood
meeting by Mayor Murphy in the Arlington
neighborhood and a woman stood up and said,
you know, we had some problems but you had a
strong person in the past in the Housing Court,
and that was Deborah Miskovich, who did an
outstanding job, and Mayor Murphy said, well,
she's back on the team as the Director of General
Services. I think that compliment coming from a
taxpayer really shows that we continue to have
strong appointments in City Hall.

So, again, I am supporting all nominations. I think they are all good quality people, but in terms of Deborah Miskovich and John Hanna, I definitely support those two and I commend and salute Mayor Murphy for those appointments. Thank you.

The Chair:

Thank you very much. Any other comments, colleagues?

Mr. Cohen:

Thank you, Mr. President. I also support the nominees. I do not envy the positions of Deborah Miskovich and John Hanna because they are both going to have a lot of tough challenges on their hands. I think we had an excellent discussion here last Wednesday and brought up a lot of issues that I was very impressed with their answers, they seem to be receptive and ready to hit the ground running.

With the apologies to the stenographer, I would like to have my comments from last Wednesday brought forward.

(REMARKS -- SEE ADDENDUM)

The Chair:

Very good. Any other comments?

Again, I would just like to personally thank the Mayor. I think he spent a lot of time deliberating on both the two directors and the appointment to the City Court Magistrate's Office, all of them are very able and competent and some exciting individuals. As well, notwithstanding the fact that I have lost some good friends, who are now leaving the Human Relations Commission, all of whom have done an important job, for some for more than a decade, I was extremely impressed with the delegation of the nominees to the Human Relations Commission that appeared last week. I just want to applaud the Mayor for his deliberative interviewing and selection of some very exciting individuals to serve in public service. Mr. Cusick.

Mr. Cusick:

I would like to congratulate both Ms. Miskovich and Mr. Hanna on their appointment to the directorship, and also I thank the Mayor, I think he has made probably one of the two best decisions with these individuals.

The Chair:

If there is no objection, we will have a roll call vote on all appointments. At this time, if the Clerk will please call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the appointments were approved.

Mr. Cohen:

Sorry to interrupt you, Mr. President. If this is an appropriate time, I would like to give us a brief update on the Cable Committee.

The Chair:

Please, and I believe Mr. Hertzberg also had his hand up earlier on another issue that he has. Mr. Cohen.

Mr. Cohen:

Thank you. The Federal Communications Commission did come out with its new regulations on the cable company, TCI, of course, nationwide regulations, governing our cable company, and I had a long talk with Council's consultant, Mr. David Wormser, yesterday. As with everything that comes down from the Federal Government, particularly the

Federal Commission's, they are long and they are complicated. I can tell you this much now, and that is that the new rules essentially will take effect on July 15th, unless, in this case, TCI, the cable operator for the City of Pittsburgh, tries to rearrange its tiers in advance of that. If they do that, then the new rules would take effect earlier.

We do not anticipate that they will do that. That means that TCI will have its new rates submitted to the City of Pittsburgh on or before June 15th, a month before that. The good thing about these new regulations is it does look as if they require rates about seven percent lower than the old regulations did.

The Chair:

On the basic service?

Mr. Cohen:

That is right, on basic service. The old regulations just were not appropriate for the City of Pittsburgh because they allowed rates to be as high as they are now. These new regulations we are hoping will force TCI to lower its rates, and they will submit those rates on or before June 15th.

I will give you another update once we go through all the regulations and have a better handle on exactly what they require.

The Chair:

Please, we would want to schedule a formal evidentiary hearing, a joint public hearing of Council as well as the Cable Communications Advisory Committee. We do have, I believe, at least a 10-day notice on that. So, please advise the Chair of when the appropriate hearing date would be.

Mr. Cohen:

Yes. Mr. President, I do not think we can do that until we get the new rates from TCI, but as soon as we do -

The Chair:

Presumably it would be between June 15th and the July 15th action by this Council.

Mr. Cohen:

That is right.

The Chair:

Thank you very much. Any questions to Mr. Cohen regarding the update on this committee report?

Mr. Hertzberg, I believe you had another issue.

Mr. Hertzberg:

Yes. Thanks, Mr. President.

We had a public hearing the week before last on the Downtown agenda. I thought it was an excellent hearing. I appreciate Councilman Smith and, I believe, Councilman Ferlo, who both set this hearing up, and there were a lot of topics discussed. One that I have had some follow-up communications from a lot of people on is horses, the law enforcement people on horseback Downtown, and I have not taken any initiative on that because I wanted to check and see whether, Mr. President, you or Mr. Smith are aware of anything on that topic?

The Chair:

The only way I understand it is we have been communicating regularly, at least I have and I am sure others have, to Mr. Kroner. The Superintendent of the County Police is responsible, and as well, following the closure of that hearing last week, we did ask that Mr. Leeper convey to the Mayor that he do a few things, specifically, one would be, get on the phone and specifically inquire about reinstituting the horses Downtown. I do not have a report yet at this time but we could follow up on that. Or, if you want we can collectively sign a letter and send it to the Commissioners and to Superintendent Kroner on that horse issue.

Mr. O'Connor.

Mr. O'Connor:

I missed the meeting of it. I think the main person to be involved with it is Pat McNamara in this City. Originally that was only a test and the County was certainly willing to lend us the horses and the officers. I think the direction we want to go now is -- we preliminarily said that we could share the stable and transportation and everything, but I think it is important that the City of Pittsburgh Police Officers would man them from now on then, since the test looked very successful. I think the Mayor's Office is inclined to be doing that. I think we should sit down real fast, though, to try to get it in place. It is not as expensive as we originally thought, it can be done very cheaply, reasonably, I think.

The Chair:

Mr. Cohen.

Mr. Cohen:

Thank you, Mr. President. I appreciate Councilman Hertzberg bringing this up. Everybody at that public hearing spoke to how that was really a positive for Downtown, and Councilman O'Connor took the original initiative on it. Having mounted police Downtown, really, if not the reality, at least creates the perception that there is more security there.

So, I think what we need to do is get firm numbers, though, as to how much it will cost to keep them there year round, of course, depending on the weather. I think it should be year round. Let's find out exactly how much it would cost per year and if we have to share the cost, let's share the cost but I think it is necessary to keep them Downtown.

The Chair:

We will follow-up on both strategies, either the County reconstituting its previous actions during the holidays and/or the City establishing its own horse brigade or purchasing the services from the County, whatever the strategy would be. So, we will follow-up on

that, notwithstanding Councilman Smith's concern as he expressed last week regarding the environmental concerns associated with horses in the middle of the summer.

Any other comments?

At this time I would like to move to Presentations of Papers.

MR. SMITH FOR MR. DARKINS PRESENTED

No. 422 Resolution authorizing the Director of the Department of Public Works to grant unto the Bloomfield Bridge Cafe, 4412 Liberty Avenue, Pittsburgh, Pennsylvania 15224, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, an extension to their cafe on a portion of the sidewalk of Liberty Avenue in the 8th Ward, 7th Council District of the City of Pittsburgh. (A fee for One Hundred Twenty-Five Dollars (125.00) is being charged for the processing and advertising of the application).

Which was read and referred to the Committee on Public Works.

MR. SMITH moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Which motion prevailed.

MR. HERTZBERG PRESENTED

No. 423 Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed 129,200.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous

Services, Recreation, in the Department of Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

MR. O'CONNOR PRESENTED

No. 424 Resolution providing for an agreement or agreements or the use of existing agreements for an internship for graduate student(s) for a period of one year, from January 1, 1994, until December 31, 1994, to perform various energy related services for the Department of General Services and providing for the payment of the cost thereof.

Also,

No. 425 Resolution providing for an Agreement of Lease with Don Morine, President, John Weinhold, Vice-President/General Manager or Property Ventures LTD, for certain office, computer and storage space, together with the right to use in common with others the common areas in the Chambers of Commerce Building, 411 Seventh Avenue, Pittsburgh, Pennsylvania 15219, for a term of two (2) years and an option year, providing for the payment thereof.

Which were severally read and referred to the Committee on General Services.

MR. ONORATO PRESENTED

No. 426 Resolution providing for the issuance of a \$3,519.44 warrant in favor of Lucie Buehl and Timothy Kirkston in settlement of claim for property damage.

Also,

No. 427 Resolution providing for the issuance of a \$20,181.76 warrant in favor of Joel and Kelli Hollis for property damage.

Also,

No. 428 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984,

"Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

MR. SMITH PRESENTED

No. 429 Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment, and/or rehab of neighborhood facilities at a cost not to exceed \$863,000.00, chargeable to and payable from the 1994 Community Development Block Grant Program - City Council.

Also,

No. 430 Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment, and/or rehab of neighborhood facilities at a cost not to exceed \$1,460,000.00 in the Department of City Planning.

Also,

No. 431 Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment, and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at cost not to exceed \$99,800.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning. Funds are available for these groups from Code Account 1103, Index No. 110304, Miscellaneous Services, Department of City Planning.

Also,

No. 432 Resolution amending Resolution No. 149 effective March 8, 1994 entitled "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in

connection with the 1994 Community Development Block Grant Program" so as to delete two line items in City Council and increase two line items in City Council.

Which were severally read and referred to the Committee on Planning, Housing & Development.

MR. SMITH moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Also,

No. 433 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 13, by changing from "S" Special District to "M3" Light Industrial District all that certain property bounded by Greeley Street, Eola Way, Scott Way and its center line projected in a northerly direction, and Lot 208, Block 12-R in the Allegheny County Block & Lot System, 16th Ward.

Which was read and referred to the Committee on Planning, Housing & Development.

THE CHAIR PRESENTED

No. 434 An Ordinance amending the Pittsburgh Code, Title Eight, Fire Prevention, Chapter 801, Adoption, Enforcement and Amendments, Section 801.02, Changes Specified, Changes - Page 6, by adding a new permit fee for Family Day Care Homes, Changes - Page 60, by adding Subsection F-703.5.1, Permits.—(SPONSORED BY MR. FERLO)

Also,

No. 435 An Ordinance amending the Pittsburgh Code, Title Ten, Building, Chapter 1007, BOCA National Building Code Adoption, Section 1007.02, Changes Specified, Changes - Page 49, Subsection 307.3.1, Child Care Facility, and by adding a new Changes -

Page 51, Subsection 309.4.1 Child Care Facilities so that facilities caring for seven (7) or more children shall be classified as Use Group I-2 and facilities caring for six (6) or less children shall be classified as use Group R-3, and providing certain licensure requirements.—(SPONSORED BY MR. FERLO)

Which were severally read and referred to the Committee on Public Safety.

The Chair:

On the first two bills, they have to do with child daycare as a follow-up to some legislation that this Council approved last year supporting family daycare in residential neighborhoods. I would ask that we waive Rule 8 on those two bills only because they have to be referred to other bodies.

Mr. Hertzberg:

So moved.

MR. SMITH seconded the motion.

WHICH MOTION PREVAILED.

Also,

No. 436 Communication from Tom Flaherty, City Controller, City of Pittsburgh, submitting the Fiscal Audit of Magistrate Courts dated March 18, 1994.

Which was read.

The Chair:

On the third bill, the audit report from the City Controller, Mr. Flaherty, we need a motion to receive and file.

Mr. Hertzberg:

So moved.

MR. SMITH seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

On that footnote, I think it would be appropriate, given the concerns that Mr. Flaherty has raised, that there be, either post agenda or some type of interaction with his office and the

Administration, specifically our Chief Magistrate, Mr. Machen. I would like to suggest that be next week, and I will speak with Mr. Cohen about moving that hearing along. He has raised some significant issues involving lack of collection of penalties and fines. Rather than just receive and file this report, I think it would be appropriate to review the recommendations and get a clear understanding from the new Administration as to how they are going to handle the criticisms and concerns that have been raised by our City Controller.

Any other comments or discussion?

REPORTS OF COMMITTEES

MR. ONORATO PRESENTED

Bill No. 437

Report of the Committee on Finance for April 13, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 373

A Resolution entitled "Resolution authorizing the issuance of a warrant in favor of the Carnegie Library of Pittsburgh, in the amount of One Thousand Forty Dollars and Sixty Three Cents (\$1,040.63), in payment for utility costs for the Sheraden Senior Citizens Center, for the benefit of the City without previous authority of law, said payment shall be chargeable to and payable from Code Account 1803, Utilities, Index Code 180307, in the Department of Parks and Recreation."

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

The bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their name is called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Cusick	Mr. Onorato
Mr. Hertzberg	Mr. Smith

AYES 6 NOES 2

(MR. RICCIARDI AND MR. FERLO, PRES'T VOTING NO)

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 374

A Resolution entitled, "Resolution authorizing a transfer in the amount of \$243,374.00 from Code Account 1843, (184309), Senior Citizens Program to Code Account SCPTF (254250), Senior Citizens Programs Trust Fund in the Department of Parks and Recreation. This transfer is necessary to enable the Department to pay rents and salaries in connection with the senior citizens program."

Which was read.

Also,

Bill No. 378

A Resolution entitled, "Resolution providing for the issuance of a \$1,000.00 warrant in favor of Health Management, Inc., in settlement of claim for property damage, chargeable to and payable

from Code Account No. 46, Judgments, Index Code No. 004606."

Which was read.

Also,

Bill No. 379

A Resolution entitled, "Resolution providing for the issuance of a \$1,000.00 warrant in favor of Landand Company for property damage incurred by the Public Works' mower, charging the same to Code Account No. 46, Judgments, Index Code No. 004606."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

The bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 382

A Resolution entitled, "Resolution authorizing the City of Pittsburgh to enter into cooperative

agreements with Allegheny County for the purpose of jointly cooperating in the exercise or performance of governmental functions and responsibilities in the areas of, but not limited to, Public Works, Economic Development, Administrative/Financial, Public Safety, Information Planning Systems, and Purchasing".---(SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 397

A Resolution entitled, "Resolution (A) Authorizing and directing issuance of a series of General Obligation Notes, Series of 1994, in the aggregate principal amount of fifteen million dollars (\$15,000,000) pursuant to the Act of the General Assembly of the Commonwealth of Pennsylvania, known as the Local Government Unit Debt Act, with the proceeds, to provide funds for and towards the costs of a project consisting of; (1) financing the costs of various capital projects of the City; (2) payment of the costs and expenses of issuing said General Obligation Notes; (B) finding a private sale by negotiation to be in the best financial interests of the City; (C) determining that such debt shall be nonelectoral debt of the City; (D) accepting a proposal for purchase of such General Obligation Notes and awarding such General Obligation Notes; (E) providing that such General Obligation Notes, when issued, shall be General Obligations of the City; (F) fixing the substantial form, denomination, number, date, maturity date, interest rates, interest payment date, registration provision, place of payment of principal and interest and redemption provisions; (G) authorizing execution of such General Obligation bonds and authentication thereof; (H) providing covenants related to payment of debt service and pledging the full faith, credit and taxing power of the City in support thereof; (I) creating a sinking fund; (J) appointing a paying agent, a registrar, a sinking fund depository and note counsel; (K) authorizing and directing specified officers of the City to do, to take and to perform certain specified, required, necessary or appropriate acts and things; (L) ratifying prior advertisement and directing further advertisement; (M) authorizing payment of

expenses; and (N) repealing all Ordinances and Resolutions or parts thereof insofar as the same shall be inconsistent herewith".

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

The bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 6 NOES none

(MR. HERTZBERG AND MR. SMITH
ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills? Mr. Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President and Colleagues. I am supporting the \$15,000,000.00 loan that we would be taking out and an interest rate of, I believe, at four percent from three Pittsburgh banks in order to continue our capital improvements here in the City of Pittsburgh, obviously with the understanding that the loan would be immediately paid back when we float a bond issue. I already see some

good things coming out of the concept and the idea of borrowing this money, and it is happening, I believe, on Highland Avenue in the East End and to begin to happen, I believe, today on Steuben Street, and that is fixing our roads.

The Chair:

Thank you, Mr. Ricciardi. Councilman Onorato.

Mr. Onorato:

I would like my comments brought forward on Bill 374, so that over the next year there is no dispute over our discussion, and that we will re-evaluate the leases of all the senior centers and make sure we get the biggest bang for our buck, because I still think there is a big misunderstanding from last Wednesday if we are approving just for existing leases or we are actually recognizing and extending leases instead of renegotiating them. I think it is a big issue, it should be dealt with, and I want to make sure that I am on the record stating that at least a few of these leases should be renegotiated and we should probably have our own facilities, that would cost us less; we have our own buildings, we have the ability to be in them for 24 hours a day as opposed to eight hours a day and we would have an asset to show for it.

(REMARKS - SEE ADDENDUM)

The Chair:

Thank you, Mr. Onorato. Mr. Cusick.

Mr. Cusick:

Yes, on the same issue, Mr. President, I would just like to say that I have been working with the Administration's Parks and Recreation, Engineering and Construction, because in the Beechview area we probably have one of the highest leases, I believe that Council District 7 probably has one of the other highest leases. We are looking at alternative sites and we are hoping that the site that we are currently looking at will be feasible. I hope that in some of the other districts that they also are looking for alternatives to these different senior centers.

The Chair:

Thank you, Mr. Cusick. Mr. Cohen.

Mr. Cohen:

Thank you, Mr. President. On Bill 397, the bond issue, I also support the bond issue for the same reasons that were expressed by Mr. Ricciardi.

I want to thank Mr. Sirabella for providing us with a breakdown of the bond issue, which includes \$7,000,000.00 for street resurfacing. Our office did an independent survey of the streets in Council District 8 a week and a half ago and we compiled the results of that survey and gave the results to Director Kraszewski of the Public Works Department on Friday.

So, I look forward to this money being used for that purpose and being used to fill the potholes and resurface the streets in Council District 8. Thank you, Mr. President.

The Chair:

Thank you. Mr. Smith.

Mr. Smith:

I am probably the only person who is going to create a problem on Bill 397. I need streets, we need the program. My objection is still to the manipulation to avoid MBE-WBE component in this deal. I cannot support it as I see it as a manipulation. I understand the concept of borrowing the money as opposed to floating the short-term bonds. I think that we need to address this issue in some way, shape or form for the future. It will pass this Council, the monies will be available, they will proceed with the work that they say, that I am sure of, but I have a major problem without an MBE-WBE component or a consistent attempt to include other entities.

So, I will be abstaining on the bill because we need the money but based on the procedure, then process that I saw, I cannot support it.

On Bill 382, which is the bill permitting the City to go into agreements with the County, I still am very leery of this, as I would like to see all future agreements. There was a list of, I believe, 20 areas, and I am just slightly apprehensive about the fact that we are giving this amount of power to the Administration without a reviewability. I do not know how my colleagues feel at this time but it came up at the table, the fact that we are allowing them to proceed, that I do not see an amendment to this piece of legislation --

The Chair:

Well, actually there is an amendment on the table which I want to present.

Mr. Smith:

Here is it. It needs to be amended in order to guarantee that we still have some input or purview or review of the decisions made by the Administration to contractually obligate us to the County.

The Chair:

Thank you, Mr. Smith. I concur. Obviously I raised last week the concern. I am all in favor and applaud the initiative of this Administration to work in new ways with County Government.

I would specifically ask that this Council consider amending Bill 382. I have suggested some wordings here that would basically move ahead the process but make it limited to the tentative agreements that were recently outlined to Council in a joint session of Council and the Pennsylvania Economy Leagues and the Administration, and that any future agreements would then come back to us for any formal consideration.

I believe you have the amendment on the table before you. Any discussion on the amendment?

MR. RICCIARDI moved to adopt the amendment on Bill 382.

MR. SMITH seconded the motion.

Which motion prevailed.

The Chair:

I think Mr. Onorato characterized it correctly last week when he said the three priorities for the bond issue should be streets, streets and streets, and I am pleased to see that a good portion of the bond issue raises the amount of the overall dollars that would be spent on actual asphalt work and not crack resealant and not any other cosmetic but the hard work and the more expensive work of doing the streets in a more adequate way and not the cosmetic way that will pass as characterized in previous Administrations. So, I want to applaud that initiative.

The point that Mr. Onorato raises and others have raised, myself included, on the Senior Citizen rents. I want to make it clear, I sent a letter to the Mayor, since we have spoken about Beechview, I am not happy about the senior rent in the Lawrenceville Senior Center. As well, Mr. Onorato and others pointed out, that we have to be out of the building at 4, 4:30 and we have no use of the facility in the evening. In the Lawrenceville community we have a great opportunity with a vacant site referred to in the neighborhood as the "Homes" site, it is a large parcel owned by the Forbes Foundation. I have sent a letter to the Mayor asking him to intervene and see whether or not we could not acquire that land free or at no cost or at little cost and look at the long-range capital expenditure of building some type of community center that would host the Senior Center, but in the evening it could be used to deal with some of the recreational needs that we have in the 10th Ward Lawrenceville community. I believe over a long-range period it would be cost effective. We are paying upwards of \$30,000.00 rent for a building that is absolutely inadequate and is not really meeting the community needs.

So, that is an issue we would want to work on in the future. I know Mr. Cusick has already talked to me and is working with department directors on the Beechview situation.

If there are other issues involving the Senior Center -- especially, Mr. Hertzberg, as you know, the interim move would be too quasi-hot, but longer range there may be some need to

relocate that center. We really need Council members to be active in helping to decide some of these issues with the community.

Having said that, I just want to make one last point, indifference to Councilman Smith's comments, I think he has characterized this wrongly as some shenanigans or somehow something is being circumvented regarding the MBE. I think the issue here is a little bit different, notwithstanding the fact the Administration and this Council is not able at this time to go out on a larger bond issue which would, based on that contract, necessitate some MBE-WBE participation. I think what is here is a major commitment from local banks to pull their resources at a very low rate, to facilitate the need for the City to have some up-front capital dollars, to the tune of 15,000,000. I think the standard here, at least in my view, should be whether or not the participating banks have complied or have fared well on the Community Reinvestment Act criteria as opposed to the criteria that we would apply to a traditional contractor for purchase of services. In that respect, if there is not any disagreement with the performance of the three financial institutions as relates to the CRA report card, I would argue that, indeed, that should be the standard that we apply in the resolution that is before us today.

So, I respectfully disagree with you in terms of how you characterize the action, hopefully, that this Council will take.

Having said that, is there any other discussion on any other bill, or response from Mr. Smith?

Mr. Smith:

Yes. It is not this Council that I have the problem with, Mr. President, it is, I find it highly suspicious that I raise the issue that at that Council table it was said, the more minorities you involve the more expensive this becomes, and this alternative approach, while I think that it is very good for the City, just has a little scent of stench to it, in that I believe it was done in retaliation to my insistence on MBE-WBE raising of the portion set aside and that it just came too quickly behind and appears to me -- and I think that it is very important that we question everything that comes across this

table, there's pro and con on absolutely every one of these points. The fact is, we need the money, I understand that. I just do not appreciate the fact that it was not discussed, that they did not address the MBE-WBE, as though it was not even an important issue to raise in this particular deal. So, I am just fearful that a pattern will evolve, and that is my point.

The Chair:

Just in response. I think it is imperative, I mean you are characterizing some comments, I believe not made at the last meeting but a previous meeting by the Budget Officer, I believe.

Mr. Smith:

Yes.

The Chair:

If that is the case, I would ask that we review that record and if what you are characterizing is accurate, as I am sure it is, then I think we need to formally meet with that budget Officer and explain to him and remind him and make it clear emphatically what the policy is as it relates to any future negotiation of any financing of bonds or entering into contracts and things of this sort.

So, we need to clarify that and not let that fester.

Mr. Smith:

Well, it festered in me.

The Chair:

Well, I think we need to resolve that, and I would work to try to resolve that in the next few days.

Mr. Ricciardi.

Mr. Ricciardi:

Mr. President, I believe our colleague, Mr. Smith, raises a legitimate concern, one that needs to be addressed, as you just stated. However, to go back to this particular issue, I

think we have to keep in mind that the three banks that we will be doing business with and borrowing this money have good track records in community investments in all City neighborhoods and particularly in the minority districts in the City of Pittsburgh. So, I feel very confident in the banks that we are doing business with on this particular borrowing issue.

The Chair:

Any other comments or concerns?

The bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 8 NOES none

The Chair:

The bills having received the legally required number of votes are passed finally.

MR. DARKINS PRESENTED

Bill No. 438

Report of the Committee on Public Works for April 13, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 368

A Resolution providing for a contract for public sidewalk construction at various locations within

the City of Pittsburgh at a cost not to exceed \$75,000.00.

Which was read.

Also,

Bill No. 369

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division, and providing for the payment of the cost thereof, at a cost not to exceed Four Hundred Thousand (\$400,000.00) Dollars, chargeable to and payable from Code Account 3-01-35-0001-94, Capital Construction Division, Index Code 875419".

Which was read.

Also,

Bill No. 370

A Resolution entitled, "Resolution granting unto Richard and Hannah Grace with an address at 4152 Saline Street, Pittsburgh, Pennsylvania 15217, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a fence on a portion of Saline Street and Lilac Street in the 15th Ward, 5th Council District of the City of Pittsburgh".

Which was read.

Also,

Bill No. 371

A Resolution entitled, "Resolution vacating Arcola Way between Voskamp Street and Welser Way in the 24th Ward, 1st Council District of the City of Pittsburgh. The petitioner, Spring Garden Neighborhood Council Inc., 114 Spring Garden Avenue, Pittsburgh, Pennsylvania 15212, has requested this vacation for expansion purposes".---(COUNCIL DISTRICT NO. 1)

Which was read.

Also,

Bill No. 372

A Resolution entitled, "Resolution vacating a portion of Unnamed Way between Glen Mawr Avenue and Bostwick Street in the 20th Ward, 2nd Council District of the City of Pittsburgh. The petitioners Sam and Mary Jo DiFloria 3319 Glen Mawr Avenue, Pittsburgh, Pennsylvania, 15204, has requested this vacation for expansion purposes".---COUNCIL DISTRICT NO. 2)

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

The bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 8 NOES none

The Chair:

The bills having received the legally required number of votes are passed finally.

MR. SMITH PRESENTED

Bill No. 439

Report of the Committee on Planning, Housing & Development for April 13, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 230

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by creating sign regulations for the "C6" district (excluding advertising signs) and by revising the height regulations for new structures in the "C6-A" subdistrict".

Which was read.

Also,

Bill No. 231

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing from "M2" Limited Industrial District, "M3" Light Industrial District, and "M4" Heavy Industrial District to "C6-A" Downtown Riverfront District certain property generally bounded by the Ohio River, Ohio River Boulevard, Western Avenue, Ridge Avenue, and Stadium Drive; 21st and 22nd Wards".

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

The bills are now ready for final action. All in favor for the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	

AYES 7 NOES 1

(MR. FERLO, PRES'T VOTING NO)

The Chair:

The bills having received the legally required number of votes are passed finally.

MR. O'CONNOR PRESENTED

Bill No. 440

Report of Committee on General Services for April 13, 1994 transmitting a resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 367

A Resolution entitled, "Resolution providing for a contract or contracts to purchase an automated telephone dialing system for the Emergency Operations Center and providing for the payment thereof, chargeable to payable from PEMATF, Index Code 253161, Department of Public Safety, Emergency Operations Center, cost not to exceed (\$12,000.00)".--(PRESENTED BY MR. COHEN)

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Mr. Cohen:

Just briefly, I think that this new system will be very helpful to the Public Safety Department Emergency Operation Center. When there is a serious emergency, public safety emergency, in the City of Pittsburgh, there is a long list of people who need to be notified immediately and the way we have been doing it now is manually, literally having one person call everybody, having to get answering machines, et cetera, and having to call back. This is an automated dialing system for those key people like the Chief of Police, the Chief of Fire and the Chief of the Paramedics Division, to be able to automatically get to them and I think it will make for faster response time.

The Chair:

Thank you. Any other comments or discussion?

The bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no".

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 8 NOES none

The Chair:

The bill having received the legally required number of votes is passed finally.

MR. HERTZBERG PRESENTED

Bill No.441

Report of Committee on Parks and Recreation for April 13, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 375

A Resolution entitled, "Resolution authorizing the City to enter into a Lease or Leases and/or License Agreement or License Agreements and/or Management Agreement or Management Agreements for the purpose of Senior Centers. The total cost of such agreements shall not exceed \$193,374.00 and shall be paid from the Senior Citizens Program Trust Fund (SCPTF), Index Code 254250".

Which was read.

Also,

Bill No. 376

A Resolution entitled, "Resolution providing for a license to Duquesne Light Company for the installation, use, operation, maintenance, repair, renewal and finally, removal of an overhead electrical system on certain property of the City (Schenley Park) situate in the 14th Ward designated as Block 27-S, Lot 150, in connection with a relocation request made by the City."

Which was read.

Also,

Bill No. 377

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to grant a license, in form approved by the City Solicitor, on behalf of the City to the Allegheny County Sanitary Authority for the construction of a sewer interceptor through a portion of Highland Park".

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

The bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 8 NOES none

(MR. RICCIARDI AND MR. FERLO
ABSTAINING TO BILL NO. 377)

The Chair:

The bills having received the legally
required number of votes are passed finally.

MR. COHEN PRESENTED

Bill No. 442

Report on Committee on Public Safety for April
13, 1994 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 365

A Resolution entitled, "Resolution providing for
an Agreement or Agreements for the purchase of
an earth station for the Emergency Operations
Center and providing for the payment thereof.
The total cost shall not exceed Fourteen
Thousand Six Hundred and Five Dollars
(\$14,605.00) chargeable to and payable from
Code Account PEMATF, Index Code 253161,
Department of Public Safety, Emergency
Operations Center".

Which was read.

Also,

Bill No. 366

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with the Pittsburgh
Mediation Center for professional services at a
cost not to exceed Twenty Thousand Dollars
(\$20,000), and providing for the payment of the
cost thereof, chargeable to and payable from
Code Account 1401, Index Code 140103,
Miscellaneous Services, Bureau of
Administration, Department of Public Safety".

Which was read.

The Chair:

You have heard the reading and
titles of the bills, is there any discussion on the
bills?

The bills are now ready for final
action. All in favor of the passage of the bills
will vote "aye" when their names are called; all
opposed will vote "no".

The ayes and noes were taken
agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo
	(Pres't)

AYES 8 NOES none

The Chair:

The bills having received the legally
required number of votes are passed finally.

MOTIONS AND RESOLUTIONS

THE CHAIR PRESENTS

Bill No. 443

A communication from Tom Murphy, Mayor,
City of Pittsburgh, informing Council of the
appointment of Judith Doran Dyda to the Public
Parking Authority of Pittsburgh, for a
term to expire May 31, 1994. According to
statute this appointment is effective immediately
and does not need confirmation of City Council.

Which was read.

Also,

Bill No. 444

A Communication from Tom Murphy, Mayor,
City of Pittsburgh, informing Council of the
appointment of Nancy Lynn Rose to the Public

Parking Authority of Pittsburgh for a term to expire April 30, 1995. According to statute this appointment is effective immediately and does not need confirmation of City Council.

Which was read.

The Chair:

We need a motion to receive and file. These are direct appointments by the Mayor.

Mr. Hertzberg:

So moved.

MR. O'CONNOR seconded the motion.

The Chair:

All in favor? Opposed?

WHICH MOTION PREVAILED.

The Chair:

At this time, other colleagues. Mr. Cusick.

Mr. Cusick:

Yes. Mr. President, I would just like to bring up something that has been going on for the last three weeks in my district and that is that there are four homes that have some type of land subsiding. The Building Inspection has issued a 15-day period in which these homes have to do some type of drilling. The Bureau of Mine and Safety have been out. They are 95 percent sure that it is not a mine and that it may be some type of bad fill. If that is the case, then these people are totally responsible. I think that we have a moral obligation, if any, that five percent chance it is not, that we ask the Bureau of Mine and Safety to go in and do the drilling. Their losses are incredible as of now. The property has dropped approximately five feet. They basically lost their backyards at this point.

I would like to ask the support of this Council in assisting these four residents of Pioneer Avenue in Brookline, that we ask the City Clerk, Linda Johnson-Wasler, to send a

letter to the Bureau of Mines requesting assistance in locating the problem and do the test drilling for these people. That five percent chance is enough for me to say that we need the State to step in and help these individuals.

MR. O'CONNOR seconded the motion.

The Chair:

The motion has been made and seconded, any other discussion on this point? Mr. Cusick.

Mr. Cusick:

If that is okay with my colleagues, that we send that letter today, that it be hand-delivered today.

The Chair:

Very good. Any other discussion.

Mr. Onorato.

Mr. Onorato:

In support of Mr. Cusick, I think his point is well taken. I would ask that the City move immediately, too, and we can worry about the liability later, so that we can stop any further damage.

I would like to point out that the landslide that took place in Millvale, you noticed the County stepped in to help out that Borough. That we should look at the County and the City, since we have a large municipality and we probably have the resources to help out. Even though this is on private property, it is a disaster that could possibly wipe out certain families' entire savings, and if we cannot pull together and help our own, then what good is government for. I would ask that we move immediately, under Councilman Cusick's leadership, do whatever we have to do and whatever has to be done up there. That he has my full support and I would hope this bodies' full support to do it immediately.

The Chair:

Thank you, Mr. Onorato.

Mr. Cusick, do you have a site visit today with the Mayor?

Mr. Cusick:

Yes.

I would like to commend the Mayor and the Administration, Building Inspection, Public Works, they all have been out there, we are doing daily on-site examination of the structure to make sure that these people are safe. If at some point the structure starts to deteriorate, they will ask them to move from those, and hopefully that won't happen.

The Mayor will be coming out to the site at 2800 Pioneer today to examine it himself and he has asked his Directors also to be there.

I also would like to commend the media. I think they have done an outstanding job in reporting what has happened to these people. If you see what is going on you can only feel for these individuals. If there is anybody from the State -- and I have talked to Representative Frank Gigliotti because we do not have a Senator at this time. Mr. Gigliotti is exhausting all efforts to help these individuals, too.

The Chair:

Thank you very much. I would ask that you keep this Council abreast. If there is need for any interim approval, as Mr. Onorato spoke about, regarding any liability issues of the City entering private property, all of us are here throughout the day and keep in touch with the Solicitor and I am sure we are all available to sign and act accordingly given the gravity of the situation.

Any other comments regarding this issue?

Just one other footnote. We have a history in this City of intervening in a number of instances, the Bryn Mawr Road experience many years ago, when Mr. Irvis was Speaker of the House on mine subsidence involving a larger number of homes, 16 homes. We also had the history of this Council intervening of

Haverhill Street in the East Hills-Homewood area, involving some properties that originally were helped to be financed by the URA and a private developer, and there are several other instances.

So, I would ask the Law Department, review those and again clarify to this Council how we may be helpful to these individuals.

All in favor? Opposed?

WHICH MOTION PREVAILED.

The Chair:

Mr. Cohen, on another issue.

Mr. Cohen:

Thank you very much, Mr. President.

According to this week's Pittsburgh Business Times, a company called MK Rail Corporation, which is a locomotive manufacturer based in Boise, Idaho, is considering relocating its headquarters to the City of Pittsburgh. It already has some offices here on the City's North Side, where its Motor Coils Company Division is located, and also has a plant in Braddock, which has increased its work force from 200 employees to 500 employees. Apparently MK Rail is considering Pittsburgh, keeping their headquarters in Boise, Idaho, or moving their headquarters to Chicago, Illinois. This is a great opportunity for the City of Pittsburgh because it will mean jobs. So many of our young people are leaving the City because they cannot find jobs and this will involve job creation, because they will need to fill administrative positions, engineering, technical and international sales positions.

That company and that industry really is a growing industry. MK Rail has had sales jump from \$129,000,000.00 in 1992 to \$218,000,000.00 in 1993, really a terrific jump, and their net income went from 1.8 million to 3.6 million. Basically their profits have really skyrocketed. They have new contracts, including an overhaul of 278 locomotives for the

Sante Fe Railroad Company and 133 locomotives for the Southern Pacific Railroad. In the industry as a whole, rail companies have ordered 49,800 new cars in 1993, as opposed to 31,181 cars in 1992. My point being, this is an expanding industry and I think we should do everything in our power to bring MK Rail's headquarters to the City of Pittsburgh.

What I would like to do is make a motion, Mr. President, to ask the Mayor, first of all, to physically send a delegation to this company, a delegation of its choice, to make a sales pitch to bring them to Pittsburgh. We have a new airport, we are centrally located, we have so many terrific assets here, there is no reason why we cannot bring them here. Secondly, asking the Mayor what we can do to help bring them here. And, finally, a letter to the President of the Company, Mr. Mike Farrell, who is the Company President, saying that we would very much like to have MK Rail locate its headquarters here and asking what we can do to help.

I would like to make those motions, please.

MR. HERTZBERG seconded the motion.

The Chair:

It has been moved and seconded. I think it is a point well taken. Any other discussion on this matter specifically?

All in favor? Opposed?

WHICH MOTION PREVAILED.

The Chair:

Any other comments under Motions and Resolutions? Mr. O'Connor.

Mr. O'Connor:

One briefly, Mr. President.

I was very happy to learn last week, as we all are, that the City of Pittsburgh has gone one year without suffering a loss of a child's life in a fire. This is great news, but normally there is an accident. There were so many people

involved to thank. As Chief Dickerson mentioned in his Press release, the landlords, parents, teachers, children and community groups and neighborhood safety programs, but I think that it is very appropriate that the men and women of our fire department stand up and take a bow, especially in the area of fire prevention. I was pleased to learn that they visited over 2,000 homes and replaced or installed smoke detectors. Over 5,000 adults and children attend the Fire Safety Program at the Carnegie Science Center and they conducted over 37 special events that touched 2500 children by visiting schools and working with teachers. I think it is a fantastic job, and I would like to make a motion that we can send a letter to congratulate them and thank them for a job well done.

MR. COHEN seconded the motion.

The Chair:

Thank you, Mr. O'Connor.

All in favor? Opposed?

WHICH MOTION PREVAILED.

MR. HERTZBERG moved to approve the Minutes of Tuesday, April 12, 1994.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

And on the motion of **MR. HERTZBERG**

Council adjourned.

(BEGINNING - MR. COHEN'S COMMENTS ON APPOINTMENT OF DEBORAH MISKOVICH AS DIRECTOR OF GENERAL SERVICES, WEDNESDAY, APRIL 13, 1994)

Mr. Cohen:

Good Morning. I'm very, very happy about your nomination to direct the Department of General Services.

Ms. Miskovich:

Thank you.

Mr. Cohen:

I thought you did an excellent job with the Housing Court. In fact, when Mr. Simmons comes up to be nominated for magistrate I'm going to ask him if he can be as tough as Deborah Miskovich was because I think that you were fair but you were also tough and I hope that you bring those same qualities to the Department of General Services because I think that's necessary as a director of any department but I'm very happy that you have been nominated. You have a history of public service which is really one of distinction and I'm glad that you have agreed to come back to the city. And you also do have a background in this area because of your position as Deputy Director of Supplies back in the early 1980's, so congratulations.

I do want to get into a couple of areas. One is and no one has asked yet and I want to give you the opportunity to tell us what you are goals are for the department assuming that you are confirmed as Director?

Ms. Miskovich:

If confirmed as Director, my goal would be to streamline the bidding process as much as possible in order to ensure that we are paying the lowest dollar and receiving the best value for our money. We are not in a position as Council and as our Administration recognizes to be spendthrifts. We are not in a position to be frivolous in any way and as Councilman O'Connor pointed out, the Department of General Services has a rather hefty budget accessible to it and there is absolutely no reason why we can't look to lower that budget.

It's difficult at this point in time not having been in the department for a few years as you can appreciate the various directors who have occupied the position over the past eight years have somewhat reorganized and restructured the department. I would need first to spend a couple of weeks familiarizing myself with the various divisions, the individuals in those positions and then hopefully what I frankly envision is that I would be meeting with each of you again. I had the pleasure

with speaking with all of you prior to today's proceedings including the Councilperson assigned to my department, Mr. O'Connor, and I believe that I'm going to be looking to all of you for much direction and assistance.

With regard to the comments you made earlier, it was my pleasure. I enjoyed my position as the Housing Court Magistrate tremendously. I enjoyed seeing areas that were blighted, cleaned up. I enjoyed seeing people who were frustrated with the system walk away satisfied. It was a special part of my life and I'm honored now at the prospect of working with this administration with Mayor Murphy and with this Council.

Mr. Cohen:

Great. When we have these hearings it's kind of a double opportunity. It's an opportunity for us to hear from you and to hear what your goals and aspirations are for the department. It's also an opportunity for us to have a chance to tell you about some of the issues that we're concerned about so I'd like to take that opportunity if I could just on a few issues.

The contract bidding area has already been discussed in some detail with Mr. Ricciardi and Mr. O'Connor. I agree with them both and I do think that in many cases our RFP or our bids have been so narrowly drawn that often only one or two companies will be able to comply with that bid, so I'm glad to hear that you're willing to look into the whole area and make sure that our bids are well tailored so that we can get the best product for the lowest price so it sounds like we have a commitment from you to be able to do that.

Ms. Miskovich:

I won't merely look into it, we will ensure that it happens. That's not only fundamentally unfair if in fact there are bids that are going out to the public that are directed to an individual distributor, company or dealer, it's simply unacceptable.

Mr. Cohen:

I'm glad to hear it.

One issue that comes up periodically here in City Council is the gas card issue and that is where there are some employees who have a credit card that they can use at private gas stations. Now the City of course also has its own pumps, it has several of them around the city and it's always a difficult policy decision to make because the fuel at our own pumps is much cheaper than it is at the private gas stations but at the same time we don't want to have police officers in particular to have to go to the fuel pumps that the City has and leave their

own area at a time of course when we have serious public safety problems in the city. But the price that we pay for gas card is too high and I have always felt that it is too high. I do want to commend Mr. Dale Perrett because he did negotiate a lower price just a couple of months ago, but I'd also like you to be a tough negotiator when it comes to gas card because we should be able to get a greater volume discount certainly than any individual and certainly more than any other company in the City of Pittsburgh because we have so many cars out there and we have so many gallons of gas that are pumped every year, so that's another area that I'd like you to look into if you could.

Ms. Miskovich:

No problem whatsoever. In negotiations I have no difficulty whatsoever holding my own and the last thing I would do is fold. In fact, I had the pleasure of speaking with Mr. Perrett on Monday of this week and we addressed that issue. With the exception of the emergency personnel who such as the police who need to be able to obtain gasoline whenever necessary and not have to worry about running out of gas as opposed to doing their community service. There are a few areas where apparently some departments have gas cards where it may not be necessary and that is something that I have already discussed with Mr. Perrett that we're going to have to look into.

Mr. Cohen:

I'm glad and last because I know that we have a lot of other nominees up here is the Cable Bureau and rather than getting into a whole discussion, what I'd like to do is offer you an invitation to meet with myself and the consultant that City Council has hired to regulate TCI of Pennsylvania. I know that you are coming in very open minded and I want you to be open minded but at the same time TCI of Pennsylvania has been an abusive monopoly in my view and I think in this Council view and they have raised their rates well over 100 percent for both basic cable and expanded basic cable over the last six years far in excess of the inflation rate. The City of Pittsburgh now has some authority to regulate basic cable rates and we're moving ahead pretty quickly to be able to do that, so what I'd like is at least one of your first duties when you're confirmed because I know you will be is to meet with myself, Mr. David Wormser who's the attorney that City Council has hired and Mr. Ashley Schannauer from the City's Law Department who is very, very knowledgeable in this, just to give you a briefing and to hear your thoughts to make sure that we are all moving in the same direction to try to keep cable rates as low as possible for City of Pittsburgh residents.

Ms. Miskovich:

Dan, you have never known me to be very politic about making promises. I do assure you that I will meet with you and that it will be a priority. In fact, the individual that I was referencing when I indicated that I was anxiously going to look for some assistance from Miss Morrow was in fact Ashley whom I understand has been assisting the Department of General Services. Ashley also when I had the pleasure of working with him when I was with the Department of Law, handled the utilities and the federal regulations. He's a very knowledgeable and very fine bright young man.

Mr. Cohen:

Great. He's very, very helpful and we'll make sure that he's a part of that. The City of Pittsburgh has sued TCI and we filed a complaint against TCI with the Federal Communications Commission so we are no longer in the kind of situation where we are going to allow them to continually raise rates and finally, the United States Congress has given us some authority to regulate them and I think we need to go after that with aggressiveness so I look forward to working with you on that. Congratulations on your nomination and I will certainly support you.

Ms. Miskovich:

Thank you very much.

(END OF COMMENTS)
PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

(BEGINNING - MR. ONORATO'S COMMENTS ON BILL NO. 374, WEDNESDAY, APRIL 13, 1994)

The Chair:

I have a question or a comment. The first question, this money, is that for the continued leases and is this the only piece of legislation this year or does this come up quarterly, annually?

Mr. Mancuso:

This year normally you get it just once but earlier in the year we had an appropriation that we asked for \$70,000.00 and this the balance of that appropriation and the money for the leases. The first appropriation was really to cover salaries in the Senior Citizens Trust Fund. So the two of those combined equals the amount in the line item that is annually transferred into the Senior Citizens Trust Fund.

The Chair:

In no way in approving this piece of legislation are we renewing a lease today.

Mr. Mancuso:

Yes.

The Chair:

We are renewing leases today?

Mr. Mancuso:

There's another piece of legislation, I believe it's Bill No. 375 which authorizes us to enter into --

The Chair:

-- let me tell you where I'm going with this because maybe I'm misunderstanding it. Since I have been on Council there have been a few sites that we have been criticizing, a majority of the members here, because it's my personal belief that the amount of the lease expenditures that we can buy property and have an asset for less than what we're paying for the lease. I thought we're paying this because we're contractually obligated based on a lease that we approved years ago. If you're telling me we're renewing leases, this is the time we should be evaluating this.

Ms. Gallo:

It's \$75,000.00 that renews the leases.

Mr. Ferlo:

Can I clarify something? It's the same way of asking the earlier question. We are in multi-year agreement relationships with a number of centers including Beechview which this Council has had a concern about and as well Lawrenceville which I have had a concern about, so this appropriation and the resolution will continue the current arrangement for this year. It does not preclude during the course of this year if we want to resolve something else for next program year with Lawrenceville, Beechview or anywhere else; we still have the ability to do that. So I want to make sure that whatever we sign lease-wise, whether it's a multi-year, it's still a one-year condition based on the Council authorizing the resolution. That is the case.

Mr. Mancuso:

That's right.

Mr. Ferlo:

So this year if Mr. Cusick from the Beechview area and Mr. Onorato or any member of this Council wants to meet with you regarding lease arrangements at a senior center, we have the ability to discuss that and the impact on it next year.

Mr. Mancuso:

That's correct.

The Chair:

I disagree with Councilman Ferlo. If you are telling me we have a multi-year lease and what Councilman Ferlo is suggesting is that next year if this body doesn't want to fund it because we have a new place to go, aren't we contractually obligated?

Mr. Mancuso:

No, we are not.

The Chair:

What does our lease say?

Mr. Mancuso:

I believe there is a cancellation clause given in writing to the landlord and I can't remember the specific terms. It

differs in different pieces of leases based on what the landlord required but it was in there specifically for the purpose that Council President mentioned which is the fact that if Council failed to appropriate the money for any given site or for all of the leases that they would have to be cancelled so that is in the legislation and Council annually appropriates the money for the leases even though we're in a multiple-year deal.

Mr. Hertzberg:

Point of order. Can we make Bill No. 375 companion bill?

COMMITTEE ON PARKS AND RECREATION

BILL NO. 375

Resolution authorizing the City to enter into a Lease or Leases and/or License Agreement or License Agreements and/or Management Agreement or Management Agreements for the purpose of Senior Centers. Said agreements shall be in form approved by the City Solicitor and shall contain such terms as she may require. The total costs of such agreements shall not exceed \$193,374.00, and shall be paid from the Senior Citizens Program Trust Fund (SCPTF), Index Code 254250.

Which was read.

Mr. Hertzberg:

This is all part of the same thing. Bill No. 374 is just authorizing the transfer of the money needed to pay past rents and this Bill No. 375 is authorizing us to enter into future lease agreements.

Mr. Smith:

Can we get the bill on the table?

The Chair:

We just read both bills.

Mr. Smith:

Maybe I'm confused.

The Chair:

Is there a motion to approve the second bill?

Mr. Ferlo:

Second.

Mr. O'Connor:

Second for discussion.

Mr. Smith:

Thank you.

The Chair:

On the first bill the \$243,000.00. Is that for 1994 or 1993 services that are provided?

Mr. Mancuso:

It's 1994.

The Chair:

The bill for \$193,374.00, what was that for?

Mr. Mancuso:

It's for leases for 1994 and in part early 1995 because we attempt to get them off of the calendar year.

The Chair:

The leases that we have on the sites. Do we sit down and resign them every year or are these continuing?

Mr. Mancuso:

They are multiple-year deals.

The Chair:

I don't know when this body is going to step up to the plate and take some action but this is the third year now that I've been talking about this with a lot of my colleagues and we said we're going to do something about it and every year we approve it with the same leases. When are we going to address this issue?

Mr. Ferlo:

Just on this point again and we have to clarify. Because we make substantive changes to these structures and because we have multi-year relationships, whether it be Beechview, Butler Street or any of the other senior centers, we have to have multi-year agreements or we'll never have viable senior centers. The conditions of that actual multi-year lease are contingent upon a yearly authorizing resolution of this Council substantiating the money, otherwise it doesn't mean anything and

secondly, unless something changed, at any given time if this Council working with the Administration through the course of a program year in the future wants to change an arrangement with a senior center, either going to rent somewhere else or build a building or whatever arrangement we have, nothing in approving these things today precludes this Council or a Councilmember working with the Administration to making that arrangement come about. I believe I've expressed an interest relative to Butler with the Administration, I know Mr. Cusick and as well all of us have expressed an interest regarding what we thought was an unreasonably high rent in Beechview and there may be other concerns that other Councilmembers have that I'm not aware of. So it's a multi-year situation with the caveat of yearly funding and with the agreement that if Council or the Administration wants to alter that relationship we still have a prerogative to do it.

The Chair:

I agree with everything you just said but what we're doing today if we approve both of these is that we are authorizing the Administration in giving you authority to spend money for the next 12 months at these sites if you prefer to do that?

Mr. Mancuso:

Right.

Mr. Ferlo:

However, if we want to make sure that they come back a year from now with a different lease arrangement then we should attach it as an amendment.

The Chair:

I'm saying we have been asking that for three years and here we are again approving it for another year.

Mr. Ferlo:

To be fair to the Administration, we have a new administration, I don't want to get into the politics of some of these leases but I think clearly now we can work with this Administration to address some of the concerns that this Council has raised over the last five years about certain leases.

Mr. Cohen:

Thank you Mr. Chairman. Mr. Ferlo is correct certainly that we have cancellation clauses in every one of our leases and we can today action if we want to. At the same time what Mr. Onorato is saying is if we're renewing their lease because there

are leases that actually expire in 1994 and we are renewing their lease, that does put at least in an awkward position to then cancel their lease shortly thereafter for whatever policy reasons the City of Pittsburgh wants to do that. So I guess my question is, of the many leases that these bills cover, are there any that will expire in 1994 that we are renewing by this action of Council?

Mr. Mancuso:

Yes. The West End lease with the Diocese of Pittsburgh which has been renegotiated to put them into a new facility within the next few weeks. We're moving them out of the basement of the Saint James Church and that is the only one. All of the rest are in the middle of multiple-year terms.

Mr. Cohen:

That gets to the essence here I believe and I think at least with respect to the West End lease we should ask the Councilperson for that district certainly whether he would have any objections to us renewing the lease but other than that it makes sense for us to go forward realizing that we can move ahead to change an arrangement or cancel a lease at any time.

Mr. Hertzberg:

You're looking for alternative sites, correct me if I'm wrong, in cases where we view leases as overly expensive and you would be willing to accept input from Councilmembers on those alternative arrangements; am I right?

Ms. Gallo:

My understanding is that particularly in Beechview they have looked at other sites and are looking at a church but there are problems with accessibility getting into the church. My understanding is they have looked at that pretty seriously and are on an ongoing basis.

Mr. Hertzberg:

Relative to the West End, I heard quite a few complaints about their current facility and I'm happy to hear that we're being moved. I wasn't aware of that. Where are you going?

Mr. Mancuso:

The church has agreed because of their consolidation of three parishes out there, they have agreed with us that the conditions of that center were really not the best and have made available the activities building for our seniors and are currently making the renovations necessary to comply with the

terms of our contract with the County Department of Aging and we have to make sure before we can actually finalize that deal that it will meet the qualifications of both the County Health Department and the Department of Aging.

Mr. Hertzberg:

I'm sure most of Council is familiar with that in the West End and I would say it's certainly large enough to accommodate any senior citizen group in the city.

Mr. Mancuso:

It is also viewed as a interim temporary move it is not viewed as a permanent relocation.

Mr. Ferlo:

It came about as a result of the vigilance of this Council asking that Saint James be reconsidered..

Mr. Mancuso:

Yes.

The Chair:

I'll end by stating that we have some leases that are between \$30,000.00 and \$40,000.00 a year. If that was being applied to a debt service we could be building these buildings, we could own, we'd have an asset and it would probably cost us less than the debt service to have a building of our own. That is a lot of money to pay for a year to put up a building go out on one of our bond issues and actually put the structure up, \$40,000.00 annually on debt service -- you could build several of these and what we're doing is paying for space for 12 months and that money is gone. We don't have anything to show for it except the use of the space.

Ms. Gallo:

I agree and we've discussed that. One thing that is a little misleading in there is about \$10,000.00 annually of those leases goes for maintenance, so it isn't quite as much as it appears.

The Chair:

Even \$20,000.00 for a debt service still could build a significant building which would at least equal or not be greater space than the space that we already have. I think we should seriously think about that because then we would at least have an asset to show for it and we could always sell a building

down the road and if times get tough we'll get our money back. So we have been making a suggestion for many years and I would hope finally that we would have some changes throughout 1994 to reflect that type of money.

Mr. Ferlo:

Just to clarify, was is the current lease with the Wagner family on the Beechview site?

Mr. Mancuso:

It terminates 6/30/95.

Mr. Ferlo:

What is the amount?

Mr. Mancuso:

The annual amount of rent is \$26,700.00 and this is \$10,200.00.

Mr. Ferlo:

It's \$10,200.00 for maintenance on top of \$26,700.00, so it's \$36,900.00.

Mr. Mancuso:

Right.

Mr. Ferlo:

Thank you.

The Chair:

Any other questions?

Mr. Hertzberg:

What is the square feet on that?

Mr. Mancuso:

It's 3,675 square feet and it works out to about \$10.05 a square foot.

Mr. Ferlo:

Basement.

Mr. Hertzberg:

How does that compare with the square foot arrangements for leases city-wide? Is that somewhere close to what we're paying elsewhere?

Mr. Mancuso:

It's one of the highest per square foot of costs that we have

Mr. Hertzberg:

Thank you.

The Chair:

I'd like to end by saying a lot of people might think this is nitpicking but I don't know if my colleagues know this but for the significant amount of money that we're paying at several of these sites, we don't have access to this building 24 hours a day. We only have it just for the senior part of the day and we're trying to open up structures for kids at night. If we were building these buildings they'd be ours and we could open them up anytime we want. I don't know if you know this but we lose access to these buildings at 5 P.M. for the price that we're paying and this is very frustrating and that's what really bothers me. If we could own the buildings, control the buildings and have it 24 hours a day for less than what we're paying I believe that.

All in favor? Opposed? The ayes have it.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

(BEGINNING - MR. COHEN'S COMMENTS ON APPOINTMENT OF JOHN HANNA
AS DIRECTOR OF WATER, WEDNESDAY, APRIL 13, 1994)

Mr. Cohen:

I will be brief as well. Mr. Hanna, I want to congratulate very much on your nomination. I think that it's particularly good to see someone who has advanced through the ranks of city government really through dedication and hard work from everybody that I've spoken to, that is how you got to this table and I think it's a good example to set for other employees in the City of Pittsburgh is that you're not somebody who was brought in from the outside, you're somebody who really rose through the ranks and has worked for the City close to 19 years, so I congratulate you for that. I also was very impressed with your opening statement. You covered a lot of the issues that I wanted to touch upon and I don't need to ask you at all about it. I'm very happy also to hear that the Water Department under your leadership is doing a lot of contracts, a lot of jobs in-house. Councilman Ricciardi who is the Chair of this committee on City Council and also a member of the Water and Sewer Authority Board told me that out of the 80 or so emergency water breaks that we had over the winter whereas in the past 50 percent of them had been contracted out and only two were contracted out this past winter.

Mr. Hanna:

We had 230 and we contracted out three.

Mr. Cohen:

That is great.

Mr. Hanna:

Part of my winter initiation I guess.

Mr. Cohen:

You deserve to be commended for that because it sounds like we are bringing so much more of this work in-house and our city employees can do it.

Mr. Hanna:

I agree with that and I'm happy that you have that same feeling.

Mr. Cohen:

Let me ask you a couple of questions on the Highland Park Reservoir issue that has been before this Council a number of

times and Mr. Ferlo has taken the leadership role in it. Has the Department of Environmental Resources contacted the City of Pittsburgh recently about our activities on the reservoirs, how closely are they monitored?

Mr. Hanna:

They are monitoring them close enough that we can feel their breath on our necks. Glenn Cannon was recently at a seminar and there was a guest speaker there from DER and he talked generically about many topics, one of which was reservoir covers and he couldn't proceed with his little speech without pointing to the Pittsburgh Water and Sewer Authority and the task that they face and pointed out that the deadline was December 31, 1995.

Mr. Ricciardi:

I'd like to interject. We have less than two years to cover our reservoirs. We have known about this since 1984 and there are both civil and criminal penalties attached to this and we have been informed several times by the department that's building a paper trail that if we don't cover that soon your colleague, Gene Ricciardi, might be spending some time in a courtroom, so those are very good questions Mr. Cohen and we are pursuing it and taking it very seriously and we're very proud of the fact that Mayor Murphy has taken this very seriously and we are working very closely with him.

Mr. Cohen:

I look forward to seeing the results of this report but obviously we have pushed the past administration to do something about it and now the time is short so I look forward to seeing that report.

Mr. Hanna:

You won't need to push us.

Mr. Cohen:

On billing a number of questions have been asked about billing but do you feel that the billing is under control now with respect to having accurate bills for the City of Pittsburgh water customers? In the past there have been occasions where people have been over billed and they haven't gotten accurate bills. I believe it's under control now but I want to hear it from you.

Mr. Hanna:

That's not my strong suit, the billing end of the department, so I put an extra effort into trying to learn that in my few months as acting director. There are still some problems that exist. The billing system that we currently have is not prehistoric but it's dated. We're currently looking at a new billing system, something that would serve our customers much better and be easier on our employees who often times are frustrated by the billing system itself. There's so much technology that has happened. The system, although it's been installed only six or eight years ago, it was ten years old when we bought it so it's one of those issues. The system is basically a 20-year old system and we hope to move further technology into the future so we can help eliminate and hopefully going into monthly billing will help this if we decide to do that.

Mr. Cohen:

I would like to see you modernize the billing over there and it's your expertise so if you could present certainly to the Administration but also to us what your plans are for modernizing our billing techniques, that would be very helpful.

Mr. Hanna:

We can do that.

Mr. Cohen:

Last, are there major capital improvements other than the reservoir covers, are there major capital improvements that are coming up soon that we need to know about?

Mr. Hanna:

There will always be major capital improvements. We have many weaknesses within the system, we have addressed many of them over the past ten years and we've spent over \$200 million which is a lot of money. We have a good idea that our largest lines are in excellent shape right now. The smaller distribution mains that go through the neighborhoods, we're now pinpointing some of those for replacement. Dinwiddie Street happens to be one and Larkins Way on the Southside. We had 27 breaks on Larkins Way in the past two years. We have probably spent more money on repairs there than it would take to replace the line, we intend to replace that line. There are many smaller projects we will probably handle in-house, small relays maybe 100 feet but we'll use our own staff to do that.

Mr. Cohen:

How about the metering outside the homes, is that completed?

Mr. Hanna:

All meters have been remoted in one way or the other. There's four generations of remotes however and some are not compatible with others. In order to move along technologically we have to try to take the oldest meters which were first remoted, some of them are now approaching 15 years and the industry standard is to change those meters 10 to 15 years so we're approaching that upper limit so we will be approaching the Water and Sewer Authority with some kind of an idea as to how to accomplish that work.

Mr. Cohen:

Well, from everything that I have heard and seen in your background and seen from you today I think you're the person to do it and I wish you well. I support your confirmation and one last thing and that is that in the last several months when you have been acting director of the department, we have had a number of complaints in my Council district and every time that we have contacted you you've worked well with us to solve the problem quickly. I thank you for doing that in the past and at the same time hope that you continue to do that in the future.

Mr. Hanna:

We will, thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

April 26, 1994

No. 17

Municipal Record

ONE-HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
KURT J. SALAC.....Asst. City Clerk

Pittsburgh, PA
Tuesday, March 22, 1994

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo
	(Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance, and would you please remain standing for a moment of silent prayer for peace throughout our world and also in special commemoration for our late colleague, the Honorable Bishop Duane Adrian Darkins.

At this time we are very pleased to have Mr. Brian Harris here. He is a student at Madison School. He is a 4th Grader. His mom is here, Mrs. Wanda Harris, and he will lead us in the Pledge of Allegiance.

Brian Harris:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Thank you, Brian. We appreciate you coming down today. Brian is in Councilman Smith's district. We appreciate his mom taking the time to come down. We have a little flag set for you from the City Clerk, it is the City's Seal and the flag of our country.

At this time we will move into a number of proclamations. I see many honored guests and folks in the audience that need some recognizing. At this time I call on Councilman Dan Cohen.

PRESENTATIONS

Mr. Cohen:

Thank you, Mr. President. Good morning everyone. Could the folks from Race for the Cure come up here, please. I won't say, run up here, just walk.

Members of Council and members of the audience, I am very honored to read the following proclamation for Race for the Cure for breast cancer.

MR. COHEN PRESENTS

No. 445 WHEREAS, breast cancer is the leading killer of women between the ages of 35-54; and

WHEREAS, breast cancer research and awareness is a national health care priority; and

WHEREAS, The Susan G. Komen Breast Cancer Foundation RACE FOR THE CURE, a nationwide 5 kilometer run/walk benefiting breast cancer research and awareness, has raised over 19 million dollars in 12 years of races; and

WHEREAS, The National Council of Jewish Women has organized a local race as part of this important national event on Mother's Day, May 8, 1994, in Schenley Park; and

WHEREAS, last year's RACE FOR THE CURE in Pittsburgh was a phenomenally successful event, in that over 3000 people participated and over \$190,000 was raised locally; and

WHEREAS, seventy-five percent of Pittsburgh's RACE FOR THE CURE proceeds will stay in our community for locally-designated projects such as a mammography voucher program for undeserved women, with the remainder benefiting local educational forums and the national research grants program of the Komen Foundation.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends The National Council of Jewish Women and The Susan G. Komen Breast Foundation RACE FOR THE CURE: and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Sunday, May 8, 1994 RACE FOR THE CURE Day in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. SMITH seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much, members of Council. This really is an extraordinary event, to find a cure for the leading killer, as the proclamation says, of women between the ages of 35 and 54. There are 180,000 cases of breast cancer diagnosed each year in the United States, but one and a half million women have survived breast cancer. So, there, indeed, is hope.

This race began last year here in the City of Pittsburgh and the people to my left organized it and are organizing it again this year, and as the proclamation said, over 3,000 people participated, they raised a lot of money, \$190,000.00, and hopefully they will raise even more this year.

Three quarters of that money stays here in the City of Pittsburgh for local programs like mammography voucher system and educational forums and research. So, it is very, very important, and the other thing is that this even brings together hospitals, health care foundations, businesses, civic organizations, in a way that I have not seen many other benefits do and they have really done a terrific job of building a coalition.

Even though this is, of course, a very serious subject, it is not a serious event, it is a fun event, and I encourage everybody to come out for it. You do not have to be an accomplished runner like you would in the Marathon, although we have an accomplished runner here, I happen to know that Robin Freedman is an accomplished runner. I am going to prove that you do not have to be an accomplished runner because I am going to run in the race and I guarantee you it will take a long time for me to finish. You do not even have to run, you can walk, you can jog, but please come out if you can.

So, I urge everybody to join in this effort. We are very, very proud to have with us today the three coaches here of the race, Eileen Lane and Lori Moser and Bobby Elmore; Robin Freedman, who I mentioned earlier, who is also a committee chair for the event, as well as being a runner; Terry Warner,

a committee chair as well, Selma Sherman, and we all know Craig Merrith, who is the Race Director for the Race for the Cure.

Did I miss anybody? Judy. How did I miss you? My apologies. Are you going to run? Okay, Judy is going to run, too.

I would like to turn this over to Eileen Lane and present this proclamation to her for all of you for working so hard on this event and just look forward to a terrific event. Congratulations.

Ms. Lane:

I want to thank you for this proclamation and the recognition that this is an issue whose concern you also share and I think through this proclamation show that it is an important item to be on the agenda and in the consciousness of the people of the City of Pittsburgh.

I want to thank Dan, who not only initiated and sponsored this proclamation but really has said it so well what this race is all about.

I also would like to acknowledge and thank the various departments of the City of Pittsburgh whose help and assistance has been invaluable in ensuring that we run a very good and safe race.

I also want to thank each of you individually because you all have expressed your willingness to personally endorse this race and be among a group of distinguished honorary co-chairs and join the Mayor and his wife that day. I think that endorsement shows that you do share this concern.

This is a race not only about success in terms of numbers, in terms of the number of participants that came out and the amount of money we raised and the very fact that last year it was the biggest first time event of its kind in the City and, in fact, was the third largest foot race in the City after the Great Race and the Marathon, but this is a race that also has a very human face, because I think all of us, and think for a

moment about that mother or sister or daughter or friend or co-worker, who we all know, who has been touched by this disease, and I think it is only by continuing to raise awareness to ensure that we get a message out about early detection, which is at this point the only cure that we have, to hopefully raise enough money and find a cure, ultimately, so that this race can go out of business. I think this is something that touches all of us.

Dan mentioned the human face amongst the survivors and we try to honor and celebrate them on the day of the race because it is very important that people know that you can survive this disease and you can lead healthy and productive lives.

I just would like for a moment to introduce someone who is very critical to this race, who has been an inspiration, who is also a long-distance runner and a breast cancer survivor, my friend and co-chair, Gloria Moser.

Ms. Moser:

This is unprepared. It is a delight to be here today and it is very important to me to be a part of this race.

Six years ago I was diagnosed with breast cancer and went and had surgery and had follow-up radiation and never questioned how much it would cost, because I had such fine insurance and I assumed that every woman in America had the same coverage that I did and what a surprise it was to find out that they did not. The race is, therefore, that much more important to me because I know now that we at the Race are providing funds for the American Cancer Society's Mammography Voucher Program that is providing mammography and follow-up diagnostic services for medically underserved women in Allegheny County, and so for that I am very pleased and proud and thankful that we can do that, and I am delighted to be here and thank you for the support the City of Pittsburgh has given us.

Mr. Cohen:

Gloria, thank you so much, you are an inspiration.

I also want to apologize to Judy Kasden, you were number one on the list. I did not mention that Judy is also Vice Chair/Vice President of the National Council of Jewish Women here in the City of Pittsburgh. So, thank you. Thank you all. I look forward to seeing you on May 8th.

Mr. Cohen:

Would the people from the Center for Victims of Violent Crime come up, please. Members of Council, I have one other proclamation that I am very honored to present this morning, and that is for the Center for Victims of Violent Crime, and the resolution goes as follows:

MR. COHEN PRESENTS

No. 446 WHEREAS, public opinion polls clearly indicate that crime is the number one concern among all U.S. citizens; and

WHEREAS, in Allegheny County, a violent crime is committed once every 72 minutes; and

WHEREAS, law abiding citizens deserve more rights, resources, restoration and rehabilitation than the violent offenders who victimize them; and

WHEREAS, victims play an indispensable role in bringing offenders to justice, thus preventing further violence; and WHEREAS, the Center for Victims of Violent Crime, now in its 20th year serving crime victims in our community, is joining forces with other victim service programs, criminal justice officials and concerned citizens throughout Pennsylvania to observe National Crime Victims Rights' Week.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh designates April 24 to 30, 1994

National Crime Victims' Rights Week in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh reaffirms its commitment to victims' rights and criminal justice during 1994.

MR. COHEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, members.

In our criminal justice system so much focus is placed on the criminal, on the defendant, and so little focus is placed on the victims and the victims' rights and responsibilities. Far too few victims are served in our system but there are groups out there who are serving them and the most prominent in my mind in the City of Pittsburgh is the Center for Victims of Violent Crime.

When we talk about victims we obviously think about people who are physically assaulted victims of violent crime but Nancy Wells will certainly tell you that victims run the whole gamut, it is not just people who are physically assaulted, but what about that young child who witnesses a shooting, who is not physically assaulted himself or herself but has to undergo the psychological trauma of witnessing a crime.

That is just one example of what the spectrum is of people who are served by the Center for Victims of Violent Crime, and they have done an absolutely terrific job, and I am very proud to tell you who is here this morning. Nancy Wells, who as all of you know is the President for the Center for Victims of Violent Crime. We also have Edith Cohen, who, unfortunately, is no relation, who is the Administrative Assistant there; Betsy Gamrat, who is the Homicide Team Leader and Advocate. Thank you Betsy. Adrian Lindsay, an advocate at the Center; Leonarda Obarski, who is the Training

and Education Specialist; Carol Wivell, who is the Administrative Assistant there, and Rachel Young, who is an advocate. Thank you all very much for being here this morning, and I would like to present Nancy this proclamation and ask you to say a few words. Congratulations.

Ms. Wells:

We are grateful to Council for this opportunity to express our appreciation to you and to the people of the City of Pittsburgh for the support that the Center receives on an ongoing basis from the City. We feel as though this has been a wonderful opportunity this year for the Center to elevate the public awareness, not only of us and the services we provide, but of the needs of those people we try to serve. In our 20th year we have tried to wave the flag a little bit to make people a little more aware of the needs of crime victims, of the urgent need for services for those people and for the importance of supporting the healing that needs to go on for survivors.

I was sitting and listening to people speaking from the Race for the Cure and thinking, if there's any group that I don't mind sitting and waiting for, that's the one. They are also concerned about survivors and they are concerned about the quality of survival; we are, too. It is an opportunity for us to say to you, we appreciate the City's support, while we wish it was even greater. We recognize that we are a valued part of this environment and we feel as though we make a contribution to the quality of life in this City. We hope you will keep us within your line of vision and we will attempt to be there to serve your needs and to serve the needs of the people in your communities. Thank you very much.

The Chair:

Thank you. I just want to add, I have known Nancy for a long time and not only does this organization do a lot of direct service work in terms of helping people, and I think we really should applaud all of the staff and the board that spends a lot of time with their volunteer power. From time to

time I think many of us will see Nancy on the news being an advocate for victims and she is extremely articulate; she represents well not only the organization but I think a lot of people that do not have a voice and I think with Nancy there is a tremendous voice, not only for the agency but more importantly for the victims, and I want to appreciate and just highlight your contributions specifically. Thank you very much.

Ms. Wells:

Thank you, Mr. President, I appreciate it.

MR. COHEN PRESENTS

No. 447 WHEREAS, young children learn through play; and

WHEREAS, any parent will testify that it is very expensive to satisfy a child's legitimate need for toys; and

WHEREAS, the Pittsburgh Toy Lending Library, located in the basement of the First United Methodist Church at the intersection of Baum and S. Action, lends safe, educational and developmentally appropriate toys to children under 5 years of age; and

WHEREAS, the Pittsburgh Toy Lending Library also maintains a comfortable play area for parents to observe their children at play; and

WHEREAS, the Pittsburgh Toy Lending Library has recently expanded its facility to include a library of circulating books on parenting; and

WHEREAS, the Pittsburgh Toy Lending Library, a non-profit organization wholly staffed by volunteers, is celebrating its 20th Anniversary.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the volunteers of the Pittsburgh Toy Lending Library for their 20 years of service to children and their parents; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh wishes the Pittsburgh Toy Lending Library continued growth and success in the years ahead.

MR. COHEN moved to adopt the resolution.

MR. CUSICK seconded the motion.

Which motion prevailed.

The Chair:

The Chair presents a resolution to be read into the record involving a weekend event, and then I would like to call on Mr. Ricciardi.

THE CHAIR PRESENTS

No. 448 WHEREAS, the Bloomfield Citizens Council will once again host its Annual Marathon Festivities during Marathon Week-end, with wonderful events planned for children and adults beginning on Friday, April 29 and ending at the close of the day on Marathon Sunday, May 1, 1994; and,

WHEREAS, Liberty Avenue through the Bloomfield community will come alive with residents and visitors enjoying live music, ethnic food, community services, and all the things that make Bloomfield one of Pittsburgh's truly great neighborhoods; and,

WHEREAS, this year will mark the historic occasion of the unveiling of a new "WELCOME TO BLOOMFIELD" wall mural to be dedicated in a special ceremony on Friday, April 29, 1994 in the Bloomfield Bridge Tavern parking area; and,

WHEREAS, in addition to dedicating the new community mural, the Bloomfield Citizens Council will honor and pay tribute to three outstanding citizens: Mr. Bob Scullion, Sr. will receive the "Mary Cercone Outstanding Citizens Award"; Lieutenant Pat McNamara, President of the Fraternal Order of Police (FOP), will receive the "Distinguished Leadership Award"; and Father Dominic Oliveri will receive the "Lifetime Achievement Award"; and,

WHEREAS, in addition to these great community leaders, the Bloomfield Citizens Council will present a special award to Mr. Stanley Frankowski, owner of the Bloomfield Bridge Tavern, for his generous and spirited contributions in helping to re-establish the "Welcome to Bloomfield" mural as an important Bloomfield landmark.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby acknowledges the special contributions of the honorees and salutes Mr. Bob Scullion, Sr., Lieutenant Pat McNamara, Father Dominic Oliveri and Mr. Stanley Frankowski for their meritorious service to the people of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh extends a special thank you to all the volunteers and community leaders of the Bloomfield Citizens Council for their tireless efforts in maintaining and improving the quality of life for all the residents of Bloomfield.

The Chair:

Is there a motion to approve.

Mr. Cohen:

So moved.

MR. HERTZBERG seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

This award and proclamation will be given out Friday night at ceremonies in Bloomfield at the foot of the bridge. There will be an unveiling of the newly revised "Welcome back to Bloomfield" wall mural and there will be a ceremony there with the Mayor and some of the honorees and all of Council colleagues are, please, invited.

At this time I would respectfully call on Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President. On behalf of all members of Pittsburgh City Council, I would like to ask our Chief Clerk, if you could please read this into the record.

MEMBERS OF COUNCIL PRESENT

No. 449 WHEREAS, Bishop Duane Adrian Darkins was known and respected through the world for his sensitivity and dedication to mankind and his labors on behalf of the sick and the elderly; and,

WHEREAS, Bishop Darkins was an ordained Bishop in the National Church of God in Christ and Founder and Pastor of the Greater Faith Tabernacle Church of God in Christ in the City of Pittsburgh; and,

WHEREAS, Bishop Darkins began his 30-year career in public life as a local committee person, served his apprenticeship, and was elected Councilman for the Ninth District of the City of Pittsburgh for a two-year term in 1989 and again for a four-year term in 1992; and,

WHEREAS, Bishop Darkins served as Chairman of Council's Committee on Public Works; as Secretary for the Pittsburgh Public Parking Authority Board; as the first African American Chief Deputy Clerk of Courts of Allegheny County; and as the first African American President Pro-Tempore for the Council of the City of Pittsburgh; and,

WHEREAS, Bishop Darkins served as a member of the Board of Directors for the American Heart Association, Homewood-Brushton YMCA, Pittsburgh Job Corps Community Relations Board, the Sickle Cell Society, Amen Corner and the Champions Association; and,

WHEREAS, Bishop Darkins was always first and foremost a shepherd among his flock, distributing food to those in need, visiting the sick and elderly, and championing the causes of those who had no other voice in government.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh salutes the greater works of Bishop Duane Adrian Darkins throughout his life, and mourns the loss of an honored public official and loyal and trusted friend.

MR. SMITH moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Any comments at this time?

Mr. O'Connor:

I know Gene read and spoke very eloquently at the funeral, and I want to thank him on our behalf, I think he did an outstanding job, and I know his friendship with Duane and all of our friendship will be dearly missed and I do not think Pittsburgh will be the same, and I feel like we lost a good friend and colleague, and I want to thank Gene for the nice job you did.

The Chair:

Thank you very much. I would like to just add, I thought Mr. Ricciardi was very eloquent, as Mr. O'Connor states, at the service. I think he represented not only this Council well but I think he spoke clearly and articulate about Duane's contributions extending over a 30-year lifetime of public service. Councilman Darkins was active, and many hundreds and hundreds of people as evidenced by the funeral procession and the ceremony came out to show their appreciation for Duane's work, and it was a very moving ceremony and, again, our heart goes out to Duane and his family and all of Council I know remains available, if there is any way we can assist in any fashion, we would like to help through this difficult process. Again, there is a tremendous loss on this Council at this time and, again, we will all remember Duane as being the people person that he was.

Mr. Cohen:

Thank you, Mr. President. I also want to thank Councilman Ricciardi for representing us so well at the funeral on Saturday. I think he really summed up his relationship and our relationship with Reverend Darkins.

Let me just say that I sat for four years right next to Reverend Darkins in the place that Councilman Cusick sits right now and not only will I miss him as a leader and as a community leader and as a public figure but I will miss him as a friend and just wish his family all the best.

The Chair:

Thank you, Mr. Cohen.

At this time I would like to move directly to the presentation of papers.

MR. COHEN PRESENTED

No. 450 Resolution providing for an Agreement or Agreements with organizations for operational/administrative expenses; maintenance; supplies; and/or equipment for the benefit of the residents of the City of Pittsburgh. At a cost not to exceed Fifteen Thousand Five Hundred Dollars (\$15,500.00) chargeable to and payable from Code Account 1401, Index Code 140103, Miscellaneous Services, Bureau of Administration, Department of Public Works.

Which was read and referred to the Committee on Public Safety.

MR. CUSICK PRESENTED

No. 451 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts and providing for the purchase of equipment and materials in connection with Various Swimming Pool Design and Rehabilitation; and providing for the payment of the cost thereof. At a cost not to exceed \$200,000.00, chargeable to and payable from Code

Account EC94-103, 3-13-62-1351-94
Index Code #871541.

Also,

No. 452 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Major Court Renovations; and providing for the payment of the costs thereof. At a cost not to exceed \$50,000.00 chargeable to and payable from Code Account EC94-122, Index Code #871624.

Also,

No. 453 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Ballfield Relighting at Various Locations; and providing for the payment of the costs thereof. At a cost not to exceed \$125,000.00, chargeable to and payable from Code Account EC95-115, 3-13-74-1485-94, Index Code #871582. At a cost not to exceed \$125,000.00, chargeable to and payable from Code Account EC 94-115, 3-13-74-1485-94, Index Code #871582.

Also,

No. 454 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Asbestos and Lead Testing/Abatement Program; and providing for the payment of the costs thereof. At a cost not to exceed \$125,000.00, chargeable to and payable from Code Account EC94-227, 3-13-95-2-60-94, Index Code #871822.

Also,

No. 455 Resolution providing for an Agreement or Agreements, or use of

existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Overbrook Improvements; and providing for the payment of the costs thereof. At a cost not to exceed \$50,000.00, chargeable to and payable from Code Account EC94-95, 3-13-60-0025-94, Index Code #871525.

Also,

No. 456 Resolution providing an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for Construction Inspection Services for Various City Projects; and providing for the payment of the cost thereof. At a cost not to exceed \$380,000.00, chargeable to and payable from Code Account EC94-414, 3-13-35-0010-94, Index Code #871509.

Also,

No. 457 Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, for Architectural/Engineering Services in connection with Various City Projects; and providing for the payment of the cost thereof. At a cost not to exceed \$400,000.00, chargeable to and payable from Code account EC94-88, 3-13-35-0003-94, Index Code #871483.

Also,

No. 458 Resolution providing for a Contract or Contracts, or use of existing Contracts, to perform required Bridge Maintenance at various locations, including but not limited to the Mission Street Bridges (East and West) Council District #3, Shaler Street Bridge, Council District #2, and others as identified through inspections; and providing for the payment of the cost thereof. At a cost not to exceed \$400,000.00, chargeable to and payable from Code Account EC94-512, 3-13-05-0007-94, Index Code 871301.

Also,

No. 459 Resolution providing for a Contract or Contracts, or use of existing Contracts for the Installation of Traffic Signal Equipment at Various Intersections; and providing for the payment of the cost thereof. At a cost not to exceed \$100,000.00, chargeable to and payable from Code Account EC94-47, 3-13-10-1522-94, Index Code #871160.

Also,

No. 460 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Miscellaneous Restoration of Various Water and Sewer Authority Projects; and providing for the payment of the cost thereof. At a cost not to exceed \$150,000.00, chargeable to and payable from Code Account EC94-569, 3-13-30-0310-94, Index Code #871244.

Which were severally read and referred to the Committee on Engineering and Construction.

MR. HERTZBERG PRESENTED

No. 461 Resolution authorizing the transfer of the amount of \$925,000.00 from Code Account 45, (004507) Health Insurance, Municipal Employees to Code Account SSFSP, (27-256), Special Summer Food Service Program Trust Fund the amount of \$800,000.00 and to Code Account SPP (254359), Special Parks Programs the amount of \$125,000.00 in the Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. SMITH seconded the motion.

Which motion prevailed.

Also,

No. 462 Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into an Agreement or Agreements, in a form approved by the City Solicitor, with the Pittsburgh Board of Public Education for the purpose of providing professional services in connection with the Summer Lunch Program for the benefit of the residents of the City of Pittsburgh. The cost not to exceed \$700,000.00, chargeable to and payable from Code Account SSFSP (270256) Special Summer Food Service Program.

Which was read and referred to the Committee on Parks and Recreation.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. SMITH seconded the motion. Which motion prevailed.

MR. ONORATO PRESENTED

No. 463 Resolution amending Resolution No. 1385, effective December 15, 1993, entitled, "Providing for an agreement or agreements with a consultant to assist the City of Pittsburgh for a monthly cost of \$7,200.00 in 1993 and \$28,800.00 in 1994, so as to increase the amount, chargeable to and payable from Code Account 1017, Index Code 101709, Miscellaneous Services, Mayor's Office" by increasing the total allocation.

Which was read and referred to the Committee on Finance.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. CUSICK seconded the motion.

Which motion prevailed.

Also,

No. 464 Resolution providing for an agreement or agreements with various agencies for job development and employment services in connection with the 1994 Neighborhood Employment Program and providing for the payment of the costs thereof. The cost not to exceed \$300,000.00, chargeable to and payable from the 1994 Community Development Block Grant Program, Code Account 4-85-01-0001-94-411-94-85, Index Code 876714.

Also,

No. 465 Resolution providing for an agreement or agreements with various agencies for job development and employment services, job related vocational skills training, and/or on-the-job training in connection with the 1994 Pittsburgh Partnership Employment Program and providing for the payment thereof. At cost not to exceed \$125,000.00, chargeable to and payable from 1994 Community Development Grant Program, Code Account 4-85-01-0003-94-373-94-85, Index Code 876706.

Also,

No. 466 Resolution providing for the authorization to make all legitimate administrative expenditures necessary to implement the Pittsburgh Partnership Employment Program; and providing for the periodic transfer of funds to reimburse for program administrative costs incurred. At a cost not to exceed \$175,000.00, chargeable to and payable from the 1994 Community Development Block Grant Program, Code Account 4-85-01-0003-94-373-94-85, Index Code 876706.

Also,

No. 467 Resolution amending Resolution No. 883 of 1993 entitled "Providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Joint Jobs Initiative Program Single Point of Contact Project; providing for the execution of grant contracts and for the filing of

requisitions and other data; approving the Joint Jobs Initiative Program Single Point of contact Project Plan; providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment for the Joint Jobs Initiative Program projects; and providing for the deposit of funds into a bank account by increasing the amount available for subcontractor agreements by \$243,734.00.

Also,

No. 468 Resolution providing for a contract or contracts, or the use of existing contracts for the purchase and delivery of new computer equipment needed to replace aging and inadequate existing SPOC equipment purchased in 1987 and 1988. The total of the contracts will not exceed (\$93,985.00), chargeable to and payable from the JTPA-1 Code Account, Index Code 260307.

Which were severally read and referred to the Committee on Finance.

MR. SMITH PRESENTED

No. 469 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to purchase two-thirds of the property in the 10th Ward known as the Stanton Heights Shopping Center through the Industrial Land Reserve Fund. The seller, Garfield Heights Congregation of Jehovah's Witnesses, will sell the Authority approximately 3.7 acres. ---**(SPONSORED BY MR. SMITH & MR. FERLO)**

Which was read and referred to the Committee on Planning, Housing & Development.

MR. SMITH moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. CUSICK seconded the motion.

Which motion prevailed.

Also,

No. 470 Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1994-1995 Community Development Block Grant Program, and providing for the payment and costs thereof. At a cost not to exceed (\$10,776,500.), chargeable to and payable from the 1994-1995 Community Development Block Grant Trust Fund.

Also,

No. 471 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application to the Pennsylvania Department of Community Affairs for the designation of the Hazelwood/Hays and a portion of the South Oakland Area of the City of Pittsburgh as an enterprise zone.

Which were severally read and referred to the Committee on Planning, Housing & Development.

THE CHAIR PRESENTED

No. 472 Resolution providing for an Agreement or Agreements with the Walter H. Drane Company for professional services in connection with the preparation and printing of supplements to the Pittsburgh Code. At a cost not to exceed \$11,500.00 chargeable to and payable from Code Account 1005-3, Printing Pittsburgh Code, Index Code 100537.---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Finance.

Also,

No. 473 Communication from Paul Hennigan, Director, Department of Finance, submitting a report of securities pledged as collateral by City Depositories as of February 28, 1994.

Which was read, received and filed.

UNFINISHED BUSINESS

The Chair:

At this time I will move to any unfinished business or reports of special committees. Any matter to come before the body?

Mr. Smith:

On behalf of Mr. Cohen and myself, I would like to request any and all pertinent data that the City Controller's Office would have on the Real Estate Division of the Finance Department, so that we can gather up the information for the two task forces and create a report for our fellow Council persons. So, if there has been any audits in the last several years or any update they can give us, it would be greatly appreciated.

I would like the Clerk to send a letter requesting any kind of data on the Real Estate Division, albeit fiscal or performance.

The Chair:

Thank you very much. I instruct the Clerk to please follow-up ASAP on that request.

And the other matter I want to follow-up with Councilman Cohen, Chair of Public Safety, I would like to ask that you formally help to arrange a meeting with the U.S. Attorney as pursuant to Council's resolution as well as Mr. Colville and other appropriate law enforcement officials. I also informed you that Dr. Hurley from the University of Pittsburgh offered his good offices to assist in this meeting process and I would like you to follow-up on that. Thank you very much.

Mr. Cohen:

Mr. President, I will do that. We spoke very briefly about it yesterday and it will be set up. We will try to make sure that it is at a date, place and time that is convenient for everyone.

The Chair:

Thank you. Any other matter?

REPORTS OF COMMITTEES

MR. SMITH PRESENTED

Bill No. 474

Report of the Committee on Planning, Housing & Development for April 26, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a negative recommendation,
Bill No. 34

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11, by changing from "R3" Multiple-Family Residence District to "C3", Commercial District all that certain property bounded by: South Atlantic Avenue; the "C3" Commercial District zoning boundary line north of Liberty Avenue between South Pacific Avenue and South Atlantic Avenue; and Lots Numbered 66 and 78, Block 51-G, in the Allegheny County lot & Block System; 8th Ward.

Which was read.

The Chair:

You have heard the reading and title of this bill, is there any discussion on the bill?

Mr. Cohen:

I would like my comments brought forward, Mr. President.

The Chair:

Thank you, Mr. Cohen.

I would like my comments brought forward also.

(REMARKS -- SEE ADDENDUM)

The Chair:

Again, this had a negative recommendation. You have heard the reading and title of the bill, the bill is now ready for final action. All in favor or the passage of the bill will vote "aye" when your name is called, if you continue to be opposed, as I hope you will, you will vote "no". The Clerk will please take the roll.

The ayes and noes were taken agreeably to law, and were:

Noes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

Pres't)

AYES none NOES 8

The bill having received the legally required number of votes fails finally.

Also, with an affirmative recommendation,

Bill No. 429

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment, and/or rehab of neighborhood facilities at a cost not to exceed \$863,000.00, chargeable to and payable from the 1994 Community Development Block Grant Program City Council".

Which was read.

Also,

Bill No. 430

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment, and/or rehab of neighborhood facilities at a cost not to exceed \$1,460,000.00 in the Department of City Planning".

Which was read.

Also,

Bill No. 431

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment, and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at cost not to exceed \$99,800.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning. Funds are available for these groups from Code Account 1103, Index No. 110304, Miscellaneous Services, Department of City Planning".

Which was read.

Also,

Bill No. 432

A Resolution entitled, "Resolution amending Resolution No. 149 effective March 8, 1994 entitled "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1994 Community Development Block Grant Program" so as to delete two line items in City Council and increase two line items in City Council".

Which was read

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills? The bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 8 NOES none

The bills having received the legally required number of votes are passed finally.

The Chair:

I would ask someone from the Clerk's Office to please contact the City Court Magistrate. We are going to move quickly into the post agenda following the session, we need everybody in the room, including the Controller's Office.

MR. HERTZBERG PRESENTED

Bill No. 475

Report of the Committee on Parks and Recreation for April 26, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 423

A Resolution entitled, "A Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance,

purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed 129,200.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation".

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion? Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their name is called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 8 NOES none

The Chair:

The bills having received the legally required number of votes have passed finally.

MOTION AND RESOLUTIONS

The Chair:

Moving quickly to motions and resolutions, I would like to call on Councilman O'Connor and Mr. Hertzberg to speak about the "Be a Sport, Help a Kid" activities that you have initiated once again this year.

Mr. O'Connor:

Well, yesterday we had a kickoff, as you know, this will be our third year for the "Be a Sport" Program. What it is, a lot of us have old sports equipment in our basements or garages and somehow we -- fortunately we never throw those things out. We are asking all Pittsburghers to pick those up and deliver them to the fire stations, all the local fire stations from May 11th to May 15th, or on the North Side at the Children's Festival. Any kind of sports equipment, there is a big need, especially in our little leagues for gloves and bats, balls, things like that and especially in the lower income neighborhoods.

Also, last year we collected over 100 bikes. We have an organization who will fix the bikes, make them as good as new and certainly in good use. We have had helmets donated from the Allegheny General Hospital. So, last year we distributed over 100 in good shape bikes to needy children. So, we are asking all the Pittsburghers to -- we are known for our giving and I think this is a good cause. Golf clubs -- in fact, Razor Racquet, which is a CitiParks program was able to -- it goes all over the City teaching kids how to play tennis, last year it was able to give every kid their own tennis racquet through this program. So, we are urging all to start collecting their items. We will be having some advertising on it and marketing. I hope everybody can be as charitable as they were last year and we hope to make it a big success. Councilman Hertzberg has been very helpful with Parks and Recreation.

The Chair:

Mr. Hertzberg, would you like to add.

Mr. Hertzberg:

Yes, Mr. President. Thank you. I would ask all of Council to stop down at Mr. O'Connor's office sometime here in the next week or two and pick up as many "Be a Sport" signs as you can. We would like to get them up all over the City, in fact, in the region, and these signs, of course, tell everyone that this runs from May 11th through

16th, turn this sports equipment in at the firehouses.

I want to commend Councilman O'Connor on his efforts, the efforts have been more his than mine on this, and I commend him for getting this started in the first place and for continuing it this year, and I would also like to commend all the participants and if I miss any it is not intentional, but that would include, of course, our firefighters who have to do a little more than they usually do during this time period from May 11th through May 16th and they are donating their time and effort to collect this equipment.

Our Parks and Recreation Department also involved in the whole process in collecting used equipment, trying to fix it up and then getting it to the young people that cannot afford this sports equipment. TCI has been very helpful to us in getting the word out, as has Martin Media. Martin Media has donated five billboards. Thrift Drugs, with their Recycle a Cycle Program, your Public Specialist, Roberta Landau, we would like to thank her. We would also like to thank our Steeler Hall of Famer, Franco Harris, who helped Councilman O'Connor and I, and the Pirate Parrot and Sparky the Fire Dog make a public service television advertisement which we hope to see airing soon.

The Chair:

Very good. Could you please just clarify the issue of bicycles. I think 100 bicycles were provided and if you could just explain that arrangement again.

Mr. Hertzberg:

Yes. The bicycles are different from everything else. Any other equipment you can turn into the fire stations between May 11th and 16th, however, if it is a bicycle it should be turned into the Children's Festival, same time period, May 11th through 16th. That is also the time period of the Children's Festival on the North Side, because what goes on there is there is a specialist in repairing bicycles who is actually on the site, he will be repairing the bicycles right there and everyone that donates one of these

bicycles will receive a chance to get a new bike that will be raffled off which is donated by Thrift Drugs.

The Chair:

Very good. Thank you all. Again, to the public, we very much need your support on this. If you have additional questions, please contact Councilman O'Connor's office, Councilman Hertzberg's office. This was a tremendous success last year, this will be the third year in a row and I know Mr. O'Connor will probably keep this going each year, it is a great activity. Again, we need you to pitch in.

Any other matter involving motions and resolutions? Again, we have a brief, and I am going to stress, a very brief post agenda directly following this meeting, it is not going to go past 12 noon. We are going to hear specifically the Controller's Office report. I would ask that they briefly summarize the recommendations and I would like the City Court Magistrates response, so we have some sense.

This involves the recent audit announced by the Controller's Office on the tickets and other matters, financial matters, involving the operation of the City Court System. It was an important audit, we want to briefly hear the recommendations and understand what the commitment and response is from the Administration.

Any other matter?

I have one brief comment regarding the announcement of various appointments by the Mayor that do not need our action but I would like to read them into the record.

THE CHAIR PRESENTS

Bill No. 476

Communication from the Mayor, Tom Murphy, informing City Council of the appointment of Deborah Miskovich to the City of Pittsburgh Equipment Leasing Authority to fill the position formerly held by Brother Richard Emenecker for a term to expire

December 31, 1994.

According to statute, this appointment is effective immediately and does not need confirmation of City Council.

Which was read.

Bill No. 477

Communication from the Mayor, Tom Murphy, informing City Council of the Appointment of Paul Hennigan to the Equipment Leasing Authority to fill the position formerly held by D'Ann Swanson for a term to expire December 31, 1998. According to statute, this appointment is effective immediately and does not need confirmation of City Council.

Which was read.

Bill No. 478

Communication from Mayor, Tom Murphy, informing City Council of the appointment of Rowan A. Miranda to the City of Pittsburgh Equipment Leasing Authority to fill the position formerly held by Carolyn Marks for a term to expire December 31, 1995. According to statute, this appointment is effective immediately and does not need confirmation of City Council.

Which was read.

Bill No. 479

Communication from Mayor, Tom Murphy, informing City Council of the appointments of Louise Brown, Eloise Hirsh and Margaret McCormick Barron to the Southwestern Pennsylvania Regional Planning Commission. According to statute, these appointments are effective immediately and do not need confirmation of City Council.

Which was read.

The Chair:

Motion to receive and file.

Mr. Hertzberg:

So moved.

MR. O'CONNOR seconded the motion.

The Chair:

All in favor? Opposed?

WHICH MOTION PREVAILED.

The Chair:

In closing, again, I want to invite all my constituents and my colleagues, I throw a big bash every year during the Marathon, it is this Sunday, from 11 to 2. We have a Polka Band, you can win a contest, possibly, dancing, and we will have certainly refreshments. So, that is this Sunday in good old Bloomfield for the Marathon bash.

MR. HERTZBERG moved to approve the Minutes of Tuesday, April 19, 1994.

MR. O'CONNOR seconded the motion.

WHICH MOTION PREVAILED.

And on the motion of MR. COHEN

Council adjourned.

(BEGINNING - MR. COHEN'S AND MR. FERLO'S COMMENTS ON BILL NO. 34, WEDNESDAY, APRIL 26, 1994.)

The Chair:

Is there a motion to approve?

Mr. Ferlo:

Motion to approve.

Mr. Cusick:

Second.

Mr. Cohen:

Second for discussion.

The Chair:

Second for discussion. Councilman Cohen.

Mr. Cohen:

Thank you, Mr. Chair.

I am going to ask my colleagues to vote against this bill, and the reason is, first of all I would like to thank Councilman Smith for holding this bill for several weeks so that we could try to reach an accommodation, a resolution in the neighborhood.

This is a bill to rezone from residential to commercial 470 South Atlantic Avenue in the neighborhood of Friendship. The process of changing from residential to commercial, of course, is not one that any neighborhood takes lightly, and this neighborhood certainly is not. I have attempted over the last month to mediate between the commercial entity, in this case, Don Allen Chevrolet, and the neighborhood surrounding it, and we have had four meetings altogether and unfortunately I have to come back and report to my colleagues that we did not reach a resolution; however I do think that there is a positive plan to move forward on it.

There have been a number of issues between Don Allen and the neighborhood that have yet to be resolved, frankly, before I would recommend to my colleagues that a rezoning be done, and those issues I have outlined for all of you in a memo that I distributed to all of you yesterday. They include a number of things, including employee parking on South Atlantic, the speeding of test drive cars, a loud PA system, et cetera, and I think the positive thing that has come out of this is that there now is a communication process between this company and the

neighborhood. I would like to see that communication process continue. A subcommittee of the neighborhood group is presenting to the President of Don Allen Chevrolet a list of items that they would like to see moved upon and I think if those are moved upon in a positive way, then Don Allen Chevrolet can come back for the rezoning.

But, at this time I would like to encourage my colleagues to vote "no" on this bill. We do have Mr. Jim Brown, our Zoning Administrator, here this morning if anybody has any questions. I thank him for coming for this special session, and if anybody has any questions, I would be happy to answer them.

The Chair:

Councilman Ferlo.

Mr. Ferlo:

I have a question of Mr. Brown.

The Chair:

Mr. Brown, would you please come to the table. Good morning.

Mr. Brown:

Good morning, members of Council.

First, let me say that Director Hirsh apologizes for not being able to attend this morning due to previous engagements.

Mr. Ferlo:

There are no previous engagements when we have a Council meeting, just remind her of that, okay?

Mr. Brown:

I will.

Mr. Ferlo:

The effect of voting this down, when would Council be able to deal with this issue again, and depending on that issue, what would be the process in terms of the public hearing and the Commission action?

Mr. Brown:

There is no limitation on refiling, so the Voelkers, who are the operators of Don Allen Chevrolet, could file a petition

with the Planning Commission at any time to do the same type of rezoning or whatever they feel appropriate, or Council could introduce, if Council wishes, an ordinance to rezone in whatever manner.

Mr. Ferlo:

So, the City Charter relative to Council's voting down legislation and not being able to bring it up within the respective session is not relevant to --

Mr. Brown:

Well, I am speaking to the Zoning Code and there are no provisions in the Zoning Chapter of the City Code anyways.

Mr. Ferlo:

I guess what I am asking is, I want to make sure, if we vote this down today and Mr. Cohen is successful in working out some resolution with the community that within this year or next year, within this legislative session, we are able to deal with this --

Mr. Brown:

To my knowledge, you can.

Mr. Ferlo:

I just want to be clear on that.

On the issue itself. The Zoning Code is not a sacrament document, I mean it changes, it reflects zoning land use policy. The only concern I have relative to this site is the condition of the house. If at some point Friendship Development were successful with our help in acquiring the property and developing the house, I would be supportive of that and less inclined to support the rezoning, but given what is going on right now in terms of the negotiations being initiative by Mr. Cohen, I will vote "no" for purposes of today; however, between now and the end of the year, I really think we need to resolve this property issue. This is a very large piece of property that is in disrepair, and if I understand the owner, Don Allen, I am sure they are going to just leave it and let the property deteriorate. At some point, even right now, notwithstanding this vote, they have the right to demolish the residential structure.

Mr. Brown:

They can.

Mr. Ferlo:

I just hope that between now and a short period of time we can try to resolve this with the neighborhood folks.

Mr. Brown:

Sure.

The Chair:

Councilman Cohen.

Mr. Cohen:

Briefly, thank you.

I think Councilman Ferlo raises an important point, and that is the state of the property. There has not been any formal communication between the Friendship Development Associates and Mr. Voelker at Don Allen about buying that property, but I think that obviously is an important issue that we have to continue to monitor.

This is very difficult actually for me to recommend to all of you to vote against this, because Don Allen Chevrolet, and many other kinds of cars, is an important business in our community and one that we never want to say "no" to a business that employs a lot of people, but at the same time I think that we could turn this into a positive by having a better communication between the business and the neighborhood, so that hopefully several months from now they will be able to come back together and support a use for that property.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Mr. Brown, refresh our memory, what did the Planning Commission do on this, was it an affirmative recommendation --

Mr. Brown:

Yes. Yes, there was an affirmative recommendation on it.

Mr. Hertzberg:

And, was there some brief explanation for the affirmative recommendation from Planning on this?

Mr. Brown:

Don Allen agreed to limit the height of the building, and what he wants to do is put up a -- extend his used car sales lot and raise the present residential building and with the rezoning he would install a new sales office for the used car facility. So, he agreed to limit the height of any new building to -- I believe it was one and a half stories. He agreed to provide landscaping between the residential property and his property, and I believe he agreed to allow the abutting property owner to use a driveway, or to share a driveway, or whatever the case is. I believe there is a common driveway there now --

Mr. Cohen:

Yes.

Mr. Brown:

And I am not sure if he would sell them that driveway or give them a -- record an easement to continue to use it, or whatever. But he did make some concessions to that nature.

Mr. Hertzberg:

But there were additional concessions sought by community, or they just never communicated, Mr. Cohen, what --

Mr. Cohen:

Well, as I laid out in my memorandum of yesterday, there were a number of issues there, yes.

And, remember, this is an attempt to expand the commercial corridor into the residential neighborhood, that is not something I think that should be taken lightly at all, because there is a tenuous balance between residential and commercial there.

But, the issues raised included employee parking on South Atlantic that is congesting that street, the speeding of test drive cars along that street, a very loud PA system that they have there, that I think can be turned down and still be able to accommodate the business without having to disturb the neighbors, a deteriorating retaining wall along Celia Place, which is right behind the business, and also the purchase by Don Allen of other properties in the neighborhood, including a particular property behind CoGo's on Baum Boulevard.

Mr. Hertzberg:

Thanks, Mr. Cohen. This is a difficult decision because of we want to look after the best interest of both the residents

and businesses in the City, we need both to be thriving. But I am sure you are looking after the best interest of both and I will go along with you on this "no" vote.

Mr. Cohen:

Thank you.

The Chair:

Councilman Ferlo.

Mr. Ferlo:

I want to ask Mr. Cohen a question. During the public hearing it was very unclear to me what exactly the commitment was from Don Allen relative to what they actually were planning to build or not build. I mean the sense I got from the attorney was not a specific commitment to build the proposed new sales office and I got the feeling that I was getting a pig and a poke, that we were going to allow the rezoning, they would demolish the house, and probably we would just end up with a surface parking lot. I do not know if there is other verification of what the intent was, but the hearing did not exactly leave me with a comfortable feeling about what was going to happen with the property. He gave a very nebulous explanation about, well, if the market is good, and if the -- I mean either they are going to build something and they have plans and they have something they can share with the adjoining property owners and the resident or they don't, and I did not get a sense that they actually were sincere, at least at this time, in clearly wanting to build the proposed sales office.

Mr. Cohen:

Well, I think that is right as of the public hearing on March the 2nd. One of the things that did come out from these meetings is a clearer view of exactly what he wants to do there. Richard Voelker, the President of Don Allen, did meet with the neighbors on March the 31st at his place of business and laid out a little more specifically and clearly what he intends to put there, and it is a one and a half story office building, as well as making changes in the parking lot, so that he can have more room for cars that are being sold there, it included an architectural rendering and showing vegetation, et cetera. So, I think that he was more specific in his meeting with the neighbors, the problem really are the other issues that surround the relationship between Don Allen and the neighbors there.

Mr. Brown:

Yes, and the other item is that the ordinance includes the statement that the amendment would not take effect. If Council

approves the ordinance, the amendment would not take effect until the Voelkers would file a plan of subdivision with the Planning Commission that would specify a landscape easement and would specify that the height of any new buildings would not exceed one and a half stories. So, he is at least committed to do those two things, limit the height of the building and provide a landscape buffer along the abutting property and along the North Atlantic frontage, and if he would not do that, then the ordinance would not take effect.

The Chair:

Councilman Ferlo.

Mr. Ferlo:

Just procedurally, back to Mr. Cohen. Is there a reason why you are pushing to vote "no" as opposed to approving this, recognizing that the effect of the ordinance would not take place until there is a resolution with the community and the adjoining property owners?

I am asking Mr. Cohen to respond on the policy, and then if you could respond on the procedural issue.

Mr. Brown:

Sure.

Mr. Cohen:

I will take a shot at the policy reason.

The problem is not what was laid out by the Planning Commission, because you know what it means when you have to submit a site drawing, that just means they submit it and the Planning Commission approves it. The problem here are a number of issues that need to be resolved between this business and the neighborhood before a rezoning should go through, in my judgment; you may conclude a different opinion. But, I am not in a position to approve this thing because it is an increase of the commercial business section into the residential corridor without resolving a number of problems that exist in the neighborhood, and until those problems get resolved, which I think they can be, I do not think we ought to approve this rezoning.

So, that is why I am not suggesting that we approve it or table it, but that we actually defeat it, realizing that he can come back in a few months after steps have been taken to resolve these problems.

::

Mr. Ferlo:

And, on the procedural, Mr. Brown.

Mr. Brown:

The procedural problem is that the hearing was held by Council on March the 2nd, and the ordinance states that Council may approve the Zoning Ordinance within a 60-day period, so Sunday of this week is the 60-day period, beyond that you will not be able to approve it unless you have another public hearing.

Mr. Ferlo:

Just to clarify, we are meeting today at the special committee session and we have a final vote today. Today is the last day, I believe. So, we are accommodating the 60 days.

Mr. Brown:

Right.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

Very briefly. We cannot hold this for a month or anything? Are we going through the whole thing anyhow?

The Chair:

You would have to have another public hearing?

Mr. O'Connor:

I mean it is so close, I wish they had more time, that is my point.

Mr. Cohen:

Again, he can come back at any time and reapply. I do not think that we should go through another public hearing because, frankly, we have had two public hearings in the neighborhood since the public hearing on March 2nd here in City Council Chambers.

Mr. O'Connor:

But, by voting "no" do we send him a clear message that he's a loser, no matter what he does?

Mr. Smith:

What do you mean, he's a loser?

Mr. Cohen:

Let me jump in, if I may.

The Chair:

Councilman Cohen.

Mr. Cohen:

I do not think so. I have been in touch with Richard Voelker, obviously he is not happy, he would not be happy if Council turned this down, at the same time, now, I have been encouraging him and I think that he is receptive to it, to take what the neighbors in writing have given him and take action about those issues that I raised earlier and that if he does that in good faith, which I think there is a very likely chance that he will, then he can come back and let's go through this rezoning at that time.

Mr. O'Connor:

There is no chance he is looking at other property somewhere else? I am concerned about the jobs, that is what I am worried about.

Mr. Cohen:

I am concerned about the neighborhoods and the jobs.

Mr. O'Connor:

And both.

The Chair:

Since the Planning Commission recommends approval and Councilman Cohen lays out in his memo a vote against it, why don't we have a roll call vote on the bill.

Roll Call

Noes

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo, Pres't

AYES 0

NOES 8

(END OF COMMENTS)

PREPARED BY: CHERYL L. WILDS
STENOTYPE REPORTER

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

May 3, 1994

No. 18

Municipal Record

ONE-HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
KURT J. SALAC.....Asst. City Clerk

Pittsburgh, PA
Tuesday, May 3, 1994

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance, and would you please remain standing for a moment of silent prayer.

We are very honored and pleased this morning to have Danny Hertzberg here to lead us in the Pledge of Allegiance, and he is the son of Councilman Hertzberg; he is in 2nd Grade, believe it or not, even though he is as tall as me, and he attends school at Elizabeth Seton, and we are very pleased to have him lead us in the Pledge of Allegiance.

Danny?

Danny Hertzberg:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you, Danny. We have a City flag set to give you. We appreciate you and your mom coming down today.

PRESENTATIONS

The Chair:

Ladies and gentlemen, we are very pleased and honored to have many, many guests in the audience that are here for various resolutions and proclamations. At this time I am pleased to call upon Councilman Dan Cohen.

Mr. Cohen:

Thank you, Mr. President.

The Chair:

Thank you, Mr. Cohen.

Mr. Cohen:

I would also like to ask Councilman Gene Ricciardi and Councilman Joe Cusick to come up, please, for are co-sponsoring this proclamation with me, and the officers from Zone 3 and the folks here from Carrick, if you could come up as well. Come on up.

The Chair:

I would like to say, hello, to Mr. Readshaw this morning also.

Mr. Cohen:

Members of Council and members of the audience, I am very proud and honored to be able to read this proclamation. This is a story about how citizens working with the police really can help in fighting crime.

In March of this year a cold-blooded criminal terrorized many of the neighborhoods in our City, particularly Oakland, Carrick and Mt. Oliver, and this criminal robbed many of our Senior Citizens and assaulted and terrorized many of them. The police had a huge manhunt on and on March 22nd there was a 20 minute, mile and a half chase in the City's South Side, particularly in Allentown and Beltzhoover, and that foot chase resulted in the capture of the suspect. This probably would not have happened had it not been not only for the terrific work by our police officers, all of whom are here today and their commander, Commander Mullen, but also by individuals, pedestrians, who were walking on the streets, citizens; there was even one case where the suspect ran into a beauty parlor and the owner of the beauty parlor ran out and locked the door to try to keep the suspect inside. So many people helped to be able to capture this suspect that I wanted to give a proclamation with my colleagues, Councilman Gene Ricciardi and Councilman Joe Cusick, to say, if citizens and police work together we really can solve this public safety crisis and we really can fight crime.

So, I would like to read this proclamation, then introduce the people who are here today.

MR. COHEN PRESENTS

No. 480 WHEREAS, during March 1994, senior citizens in Oakland, Swissvale, Carrick and Mount Oliver were beaten, stabbed, tied, terrorized and threatened with death as they were robbed in their homes; and

WHEREAS, each succeeding robbery was more violent than the last; and

WHEREAS, the people who lived in these communities became very frightened and concerned as the suspect eluded capture; and

WHEREAS, on March 22, 1994, under the leadership of Commander William Mullen of zone

3 in the Southside and Officers Verna Adams, Joseph Arroyo, Susan Keasley, Walter Kozolowski and Robert May, citizens and police alike cooperated in the capture of said suspect, culminating in a foot chase through Beltzhoover and Allentown; and

WHEREAS, due to the extraordinary cooperation and teamwork between police and citizens, an accused felon will be brought to trial.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Commander Mullen, his officers, and citizens of the community who choose to remain anonymous, for their fine work; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares May 3, 1994 We Get Results When We Work Together Day in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much.

All of the officers who I named are here today and we thank you very much for being here today, along with Commander Mullen, who is doing terrific job in Zone 3.

The individuals, particularly the ones who helped in the foot chase, did not want to come down, they wanted to remain anonymous and I respect that and I do think that says something about the state of the public safety in the City of Pittsburgh right now.

But, we do have a number of people here who are very much involved in working with our police on a daily basis, and that includes Eileen Greutz, who is here from the block watch. Eileen, thanks so much for being here. Caroline and Bernie Majeski, thank you so much for being here. Everybody knows, I think, Harry Readshaw and his wife Carol, from the Carrick Community Council, and also Joe Herman, from the block watch there in Carrick. So, I want to thank you all

for coming down. And, I would like to introduce my colleagues, Joe Cusick and Eugene Ricciardi, to say a few words, then we will hear from the Commander. Councilman.

Mr. Cusick:

I just want to congratulate not only the police officers but the residents. It is great to see that they are working together and that we have accomplished something. And, just as important, I would like to congratulate Commander Mullen for a great job and having great individuals work for you. I think that must make you feel real good and when you are able to stand up here today and be commended for a job well done.

With that, I would just like to give it to Gene. Thank you.

Mr. Cohen:

Thank you.

Mr. Ricciardi:

Thank you.

On the light note, Bernie asked me if I was going to talk about oil changes, because we meet once a month when we change our oil in the Carrick area.

But, I really want to underline all of our colleague's remarks, Mr. Dan Cohen, who chairs the Department of Public Safety, and that is, standing together, working with our residents and our community based organizations and our police officers, we can stop crime here in the City of Pittsburgh. Thank you.

Mr. Cohen:

Thank you, Councilman.

Before we get to Commander Mullen -- we are going to work our way up to you, Commander -- I would like to hear from Mr. Harry Readshaw. Mr. Readshaw.

Mr. Readshaw:

Thank you. I would like to make a few comments on a more personal note, if I might, directed to Betty and John Shutey, and I am here this morning as past President of the Carrick Business Association and past President of the Carrick Community Council, but more importantly, someone that has known the Shuteys for a number of years, and I bring them warm personal regards from the members of the Carrick Business Association and the members of the Carrick Community Council and all of their neighbors.

It is with mixed emotions that I stand before you, knowing the fear, torment and anguish that they endured when their home was invaded, but their display of courage should be a model to every citizen of the City of Pittsburgh. Their determination enabled them to survive a horrible, frightening experience, an experience that no one should ever have to endure.

I would also like to thank the citizens that assisted in bringing about the apprehension of the individual and the Pittsburgh Police for their excellent and fast work.

Betty and John, I would like to say that we are proud of you, we are proud to be your friends and congratulations for standing up for your rights.

The Chair:

Thank you.

Mr. Cohen:

Thank you very much, Harry.

And, now Commander Mullen. Commander, congratulations on behalf of City Council and all the citizens of Pittsburgh. Congratulations.

The Chair:

Thank you, Commander.

Cmdr. Mullen:

President of City Council, members of City Council, on behalf of myself and the other officers from Zone 3, I would like to thank you for this resolution. Frequently we are criticized for things

we do and things we fail to do and we really appreciate this recognition.

I also would like to thank the members of the Allentown and the Beltzhoover community who participated in the apprehension of Norman Woods, certainly without their cooperation he would not have been apprehended and he would have continued doing these crimes until someone was murdered or until he was caught.

I think this is a prime example of the police working together with the community in solving a problem, which will go a long way in reducing the crime in that particular area. Again, thank you very much.

The Chair:

Thank you.

Mr. Cohen:

Thank you all for coming down, the police officers, the people from Zone 3 Public Safety Council. Is there anybody that we have not recognized? And, also Council members Cusick and Ricciardi. Thank you very much.

The Chair:

Thank you all.

Councilman Cohen, do you have a second proclamation?

Mr. Cohen:

No, I do not. Thank you.

The Chair:

Thank you very much.

At this time I am pleased to call on Councilman Hertzberg.

MR. HERTZBERG PRESENTS

No. 481 WHEREAS, Joseph W. Harkins, son of Edward and Jean Harkins, is a member of the Boy Scouts of America, Troop #66, sponsored by Sheraden Community Church located on Allendale

Street in the 20th Ward of the City of Pittsburgh, Allegheny County, PA; and,

WHEREAS, Joe has satisfied the Eagle Scout requirement by earning 21 merit badges, of which 11 are mandatory in the outdoor, fitness and service fields, and 10 are in the fields of his own choice; and,

WHEREAS, Joe served as Senior Patrol Leader, and for his service project, under his leadership the scouts pruned and cut more than 170 trees at St. Martin's parish residence; and,

WHEREAS, only those young men who have been outstanding in scouting, exhibit only the highest ideals, have the esteem of their community and fellow scouts, and serve in a position of responsibility and leadership, obtain Eagle Scout status, the highest rank in the Boy Scouts; and,

WHEREAS, through his enthusiasm, hard work and dedication, Joe has successfully fulfilled all the requirements and has been presented with the Eagle Scout Badge at the Court of Honor Ceremonies on May 2, 1994.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Eagle Scout Joseph W. Harkins on his recent achievement and commends him for his accomplishments.

MR. HERTZBERG moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Also,

No. 482 WHEREAS, Edward S. Harkins, son of Edward and Jean Harkins, is a member of the Boy Scouts of America, Troop #66, sponsored by Sheraden Community Church located on Allendale Street in the 20th Ward of the City of Pittsburgh, Allegheny County, PA; and,

WHEREAS, Ed has satisfied the Eagle Scout requirement by earning 21 merit badges, of which 11 are mandatory in the outdoor, fitness and service fields, and 10 are in the fields of his own choice; and

WHEREAS, Ed served as Librarian, and for his service project, under his leadership the scouts completely transported, set up, and wired all the computer equipment in Sheraden Homework and Computer Center (SHACC) at Elizabeth Seton School; and,

WHEREAS, only those young men who have been outstanding in scouting, exhibit only the highest ideals, have the esteem of their community and fellow scouts, and serve in a position of responsibility and leadership, obtain Eagle Scout status, the highest rank in the Boy Scouts; and,

WHEREAS, through his enthusiasm, hard work and dedication, Ed has successfully fulfilled all the requirements and has been presented with the Eagle Scout Badge at the Court of Honor Ceremonies on May 2, 1994.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Eagle Scout Edward S. Harkins on his recent achievement and commends him for his accomplishments.

MR. HERTZBERG moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Councilman.

Mr. Hertzberg:

Thank you, Mr. President. I would like to introduce my brother, Eric Hertzberg, right next to me here, Bill Christner, and Noreen Payne. Bill Christner is with Three Rivers Center for Independent Living, and Three Rivers Center for Independent Living, Giant Eagle and Allegheny General Hospital on Thursday is sponsoring a "Barrier Awareness Recognition Day" and the idea is to make the public aware of all the barriers for people with disabilities that are out there. Things like steps, things like curbs, things like narrow doorways.

Mr. Eric Hertzberg:

And restrooms.

Mr. Hertzberg:

Yes, restrooms. And, the list goes on and on, and I know my brother, Eric, has always had a lot of barriers in trying to get around. Three Rivers Center for Independent Living has been a great assistance to him in helping him get out and be independent on his own, and I have prepared this resolution.

MR. HERTZBERG PRESENTS

No. 483 WHEREAS, people who have disabilities have been frustrated because they feel dependent and controlled in all aspects of their lives by the decisions of other people; and,

WHEREAS, Three Rivers Center for Independent Living, located at 7110 Penn Avenue, Pittsburgh, PA 15208, is a non-profit organization dedicated to assisting people who have disabilities make their own decisions on where they live, how they live, and where they go; and,

WHEREAS, on May 5, 1994 from 11:30 A.M. - 1:30 P.M. at PPG Plaza, Three Rivers Center for Independent Living, Allegheny General Hospital and Giant Eagle, are sponsoring a public demonstration for BARRIER AWARENESS DAY 1994; and,

WHEREAS, the purpose of BARRIER AWARENESS DAY is to help people become more aware of the physical, attitudinal and communication barriers that confront people with disabilities on a daily basis.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Three Rivers Center for Independent Living, Allegheny General Hospital and Giant Eagle in their pursuit of promoting awareness of the barriers that confront people with disabilities; and,

BE IT FURTHER RESOLVED, that Pittsburgh City Council proclaims May 5, 1994 as BARRIER AWARENESS DAY and Three Rivers Center for Independent Living Day in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Thank you. And, Mr. Christner is the President of Three Rivers Center for Independent Living. Would you like to say something, Mr. Christner?

Mr. Christner:

You still didn't get a ramp here yet?

Yes, I would just like to thank all of City Council and Councilman Hertzberg for that proclamation. Barrier awareness is very important if people with disabilities are to lead truly integrated and self-directed lives in the community, more so than -- I mean the physical architectural barriers that confront us are easily identified, it is the attitudinal barriers that more so inhibit our ability to contribute successfully to the community, and so by issuing this proclamation you are helping to educate the public that people with disabilities, in fact, are persons that can contribute and be productive members of their community. So, thank you very much and there is a lot to be done.

I would just also like to say that the proclamation that was done previously by Council person Cohen, one of our staff members was -- who has a visual disability was victimized and attacked by that individual and I would like to say that at the end of all of my correspondence that together we can and do make a difference, and I think with Barrier Awareness Day and with that other proclamation on community involvement, we are, in fact, making a difference. Thanks.

The Chair:

Thank you. I want to thank you for your leadership at the center, you are no stranger to these Council chambers, you have been here many times giving us leadership and I know you and others have been very active nationally and historically on the effort to pass the ADA legislation and we applaud you for that effort.

I did want to report and also make mention, we have Lucy Sproul in the audience today from General Services staff; she was hired a little over a year ago, I have worked with her for probably 20 years; she is a great individual who I think is going to provide a lot of leadership to City government regarding the issue of barriers. I have asked her

specifically and hopefully by the end of the year we can look at these Council chambers. She is specifically looking at a plan with our Engineering and Construction that deal with the front door, the podium, the chair and this podium up here. It is a problem when individuals from the public come to speak in Council chambers, particularly during public hearing process, as well as employees who are physically challenged. So, we hope to take some corrective action and try to set an example with these chambers themselves and I hope that we can bring this to fruition by the end of the year.

Mr. Cohen:

Thank you, Mr. President. I would thank Councilman Hertzberg for his initiative and also the Three Rivers Center for Independent Living.

As long as we are on issues relating to making the City County Building more accessible, we also do have to complete making our elevators accessible. We have moved partway in that direction, but if you recall we had a public hearing here a couple of years ago where blind and visually impaired people came down to try to get audible traffic signals in the Craig Street corridor in North Oakland, and I think that made us aware, it certainly made me aware, that we need to make our elevators accessible, too. We have not yet completed that task, and I think this might be a good opportunity to say, we've got to complete that task to make sure that people who are visually impaired can come into our City Council Chamber.

The Chair:

Thank you, Mr. Cohen. Mr. O'Connor.

Mr. O'Connor:

I just want to real quickly congratulate Bill for coming down, and I visit the Independent Living facility quite often and it is a wonderful place; and, Bill, you are certainly an inspiration, I know everywhere I go in the area he is there, so sometimes I think you are running for office, but he certainly does not let anything keep him back, and I think you are quite an inspiration to all of us and just please keep up the good work.

The Chair:

And, also, while we have you here, I hope you will continue your efforts on the remodeling and refurbishing of housing within our communities, specifically to meet the needs of the physically challenged. I know in my neighborhood of Highland Park, we have one older home that was renovated, they did a beautiful job, it is a beautiful addition to the community, and I hope you will keep that effort up throughout the City.

Mr. Hertzberg:

Eric, would you like to make some comments?

Mr. Eric Hertzberg:

I would just like to make one comment and it is about what you would call me. I am a person with a disability, I do not think I can be a disabled person. It is all in the language, though. It is a different way of looking at yourself, and if we are to be free, you are going to have to look at people like me as persons with disabilities and not disabled persons.

The Chair:

Thank you all for coming down today.

Mr. Hertzberg:

I got some buttons for members of Council to wear to support Barrier Awareness Day. Danny, why don't you distribute them to everybody.

This is Barrier Awareness Week and you can wear it all the time.

The Chair:

Mr. Hertzberg's special assistant will pass those buttons out to our colleagues.

At this time I would like to call on Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President.

The Chair:

Thank you, Mr. Ricciardi.

Mr. Ricciardi:

Council member Alan Hertzberg and I would like to present the following resolutions. I would like to ask our ice hockey players and those that are with our athletes today, if they could please come forward. Thank you.

MR. RICCIARDI PRESENTS

No. 484 WHEREAS, the Central Pittsburgh Hockey Association's Red Rebels are one of the first all-female ice hockey team in Western Pennsylvania; and

WHEREAS, Central Pittsburgh's Red Rebels participate in the first eight team Pittsburgh Amateur Hockey League for women 19 and under; and,

WHEREAS, during the 1993-1994 season under the Central Pittsburgh Hockey Association, the Red Rebels won both their divisional title and the 1994 Girls A State Championship, and represented the City of Pittsburgh, Allegheny County, and the Commonwealth of Pennsylvania in the USA Hockey Mid-America Regional Playoffs for contention of the national title; and

WHEREAS, the Red Rebels are represented by Central Pittsburgh Hockey Association's President John Zemecki, Coaches Denny Magulick and Tim Ault, and Players Jennifer Magulick, Beth Colizza, Margaret Becker, Jessica Trybus, Susan Fedor, Jessica Preite, Barbara Lutka, Lauren Latterman, Elizabeth Peitzman, Jamie Kirkavitch, Teresa Lutka, Cara Jones, Nikki Lower and Michelle Ault; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the Red Rebels on their athletic efforts and achievements during the 1993-1994 hockey season and salutes the Pittsburgh Amateur Hockey League and the Central Pittsburgh Hockey Association for their efforts on behalf of women's amateur ice hockey.

MR. RICCIARDI moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, colleagues. Before I ask John Zemecki to please come forward, I just want to congratulate our athletes today. Not only for the outstanding work in their school work, but also what they have performed on the ice. I do not follow hockey that closely but by the research I have done, they had some trouble breaking in to it, because you know it is an all boy's sport, or it is known as an all boy's sport. So, they had some barriers to overcome. One, to be accepted within the Association, and the other, to receive ice time, but the second year when they were accepted and received the ice time, they won their divisional title, and I think that says a lot about these young people before us today.

So, John, I would like to ask you to come forward. Maybe you could introduce some of our adults, and if others would like to say something. Thank you. Congratulations.

Mr. Zemecki:

Thank you very much. I would like to thank City Council for this resolution and for inviting us here today. Central Pittsburgh Hockey Organization was formed in 1990 at the old South Side skating rink that was reopened due to City Council's efforts. You guys should be aware that this is a result, an end result of what happens when our youth have a positive environment and a place to go instead of hanging out on the corners.

Our girls here are outstanding this season and we are very proud of them and we are very grateful that they are playing in our organization.

Central Pittsburgh Hockey started in 1990 with 60 players and is now the second largest amateur hockey team in Western Pennsylvania, with 14 teams and 224 players.

I would like to introduce Ron Lutka to tell you more about the girls, he has been their team manager and he deserves great recognition for his dedication to the girls and the sport. It took a long time to -- and I a lot of work on his behalf to get the girls, but they were introduced into the PHL, and we had an 18-league, which is one of the only ones in a 13-state district. So, I would like to

introduce him and let him speak on behalf of the girls.

Mr. Lutka:

Thank you, John. I want to really thank the girls and also their parents. It really requires a large amount of devotion on the parents. These girls practice the same hours as the boys. That means that they are out there practicing many times at 5 a.m. in the morning on both Saturdays and Sundays. So, a large amount of time and effort had to go into being successful this year.

We would really also want to thank John Zemecki and Central Pittsburgh Hockey. This is only one of three teams in Western Pennsylvania. We have an 18 division, which is comprised of teams from both Western Pennsylvania and also West Virginia. This is the only league that exists within the 13-state district. The other teams have to play independently. That means that they go ahead and schedule games against our Association and then they have to travel throughout the district in order to play. And I want to thank also the Council and the City of Pittsburgh for having the facility there that they lease out to Neville to go ahead and provide the girls and also the other young people the opportunity to go ahead and play ice hockey. Whenever you are going out there and playing, you are getting up at 5 a.m., and then also practicing a number of other hours and traveling like they do, they do not have time to get ahead and get into other things. They really devote a large amount -- and if you talk to these girls you will find out also that many of them are very high on the scholastics, many of them are on the high honor roll, if not, also the honor roll.

Again, I want to thank you, and for the Council members, we do have an autograph for each one.

The Chair:

Thank you. Very beautiful.

Mr. Lutka:

And we will leave them here. Once again, thank you very much.

Mr. Hertzberg:

I want to congratulate the coaches and all of the members, and usually you got to play hockey at some strange hours to get to where you people got and you can look forward to doing some more of that and some more championships. So, I have got some certificates for each one of you. Congratulations.

Mr. Ricciardi:

Again, I would just like to commend our athletes today, and I would like to thank the ones that were willing to cut class to come here today. But, I also want to thank all of my colleagues, because of you, after the ice skating rink on the South Side being closed for two years, it was reopened, and I want to thank all of my colleagues.

Mr. Magulick:

My name is Denny Magulick, I am the head coach, but I would like to introduce the girls here because they deserve it.

This here first one is Nikki Lower, Jessica Reddy, Jamie Kirkavitch, Jennifer Magulick, Elizabeth Peitzman and Lauren Latterman.

Unfortunately, all the girls could not be here, but like Ron said and John, these girls get up -- I get my daughter up at 3:30 in the morning to go make 5 a.m. practices, and I will tell you what, when we go to 5 a.m. practice, all my girls are there, all the boys aren't.

Mr. Ricciardi:

Mr. President, I would like to ask if we have any representatives from the Pittsburgh Mediation Center with us today?

The Chair:

Absolutely.

Mr. Ricciardi:

We do. Please come forward. Thank you.

The Chair:

They are all here.

I may have to do this resolution for you, Mr. Ricciardi.

Mr. Ricciardi:

I see.

I would like to read this resolution on behalf of all Pittsburgh Council members.

Also,

No. 485 WHEREAS, the Pittsburgh Mediation Center, as defined in its mission statement, is a community based organization which promotes collaborative dispute resolution through public education, training, community mediation programs and related services; and

WHEREAS, the Pittsburgh Mediation Center is one of hundreds of community based dispute resolution agencies organized in the United States since the U.S. Department of Justice funded three urban-based demonstration projects in 1977; and,

WHEREAS, the Pittsburgh Mediation Center was incorporated as a 501 c-3 nonprofit agency in 1981, and in 1987 forged a partnership with The Carnegie Library of Pittsburgh, and is housed in the Southside branch at 2205 East Carson Street with scheduled mediations, trainings and facilities in each of the branch libraries; and

WHEREAS, the Pittsburgh Mediation Center services consist of Dispute Resolution Services including mediation services for settlement of interpersonal disputes and multi-party disputes, and facilitation services, and Education and Training including technical assistance on school based conflict resolution programming, training on conflict resolution skills and mediation, and public education; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the Pittsburgh Mediation Center for its efforts to resolve conflicts through collaborative nonviolent means and declares the Month of May Mediation Month in the City of Pittsburgh.

MR. RICCIARDI moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, colleagues. I am going to ask several speakers to have remarks here this morning, starting with Michael Nash, and we all the benefits that this program has in bringing people together before unfortunate incidents can happen.

Michael, I will ask you to come forward and then introduce everyone.

Ms. McLaughlin:

We have a little program.

Mr. Ricciardi:

Oh. And, Councilman Ferlo thought he was going to take charge of this. We will let Irene, please.

Ms. McLaughlin:

Thank you. Thank you, Councilman Ricciardi. Thank you, Council President Ferlo, and members of Council.

The Chair:

Ms. McLaughlin, good morning.

Ms. McLaughlin:

We are very pleased to have this proclamation moved by Mr. Ricciardi and approved by you this morning. It really does and I can say, as a volunteer mediator and volunteer board member with the center, it means a great deal to continuing the work and the energy of many people that work together to provide the services of the Pittsburgh Mediation Center, and as the proclamation says, basically, two strands of activity at the Center of education, where we do have committed trainers who develop curriculum and conflict resolution skills and mediator certification training to provide that education to the community, and we are very proud of the great attendance we have

been having at those trainings, and those people that are trained in these skills then volunteer with the Center and provide our dispute resolution services directly to the community, and we get many referrals from yourselves, from the DJ's Offices, from D.A.s, who work in the neighborhood field offices, from the Housing Authority communities, and many other sources, as well as individuals who have a problem and are looking for a low cost efficient way to resolve the problem, and those volunteers then do work with those disputants to help them resolve the problem by using the process of mediation primarily. It is an empowering process, it is a process that not only resolves the problem but also teaches people how to resolve their problems in the future, by managing conflict, by communicating, by ultimately resolving conflict.

So, we are very proud of the work of the Center, it happens because of many of the people here this morning and others that could not be here. We have volunteer board members, Susie Blocker is here and Paul Foreman and Rosemary Duffy, who is also a trainer and a volunteer mediator. Paul Foreman also being a mediator. Susie also being a mediator. And, David Price, who has been a long-time committed volunteer mediator/board member. We also have our Urban League staff, who comes through the Urban League Senior Program and lends a great deal of support to the work of the Center. Ralph Koger and Maureen Brown and Ellis Jefferson, our outreach person. We also have our staff, very committed staff, low wages, long hours, of Mike Nash and Deidre Levdansky, our Executive Director, and Johanna Roszner.

And, is there anyone that I have not introduced right now?

And, again, I would again thank Council, it is by your support that we have been able to continue to provide the services of the Pittsburgh Mediation Center through your support in the budget process, as well as your continued recognition of May Mediation Month.

And, I would just like to introduce Deidre Levdansky for a couple of words.

Ms. Levdansky:

On behalf of the Pittsburgh Mediation Center, and as Executive Director, I would also like to thank City Council for committing itself to endorsing the Center through the monies that it makes available through the City budget, this enables us to extend our work to school districts, to housing communities, to neighborhoods and basically and hopefully to extend our services to all residents of the City of Pittsburgh and making Pittsburgh neighborhoods peaceable and a more livable City. Thank you very much.

Ms. McLaughlin:

You should note the phone number if anyone has --

Ms. Levdansky:

My boss just told me that I ought to also say our phone number in case anybody has any questions or concerns or cases that they would like to refer for mediation, and the number is 381-4443. Thank you.

The Chair:

Thank you, Deidre.

Ms. McLaughlin:

Can I make just one last plug to support a very important piece of legislation that has just passed the Senate in our state legislature and is now going to the house, and that does provide for confidential mediation and communications, basically making any confidential -- any mediation -- communication and mediation documents privileged information, which is very -- really recognizes the important work of mediation throughout the state and that it is gaining in sophistication and notoriety and we need the protection of the state to maintain confidentiality of communications. That is Senate Bill 917, that's just passed on April 25th and is going to be considered by the House when they reconvene on the 16th of May.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

Would you like to elaborate on maybe who would call you, like what type of mediation, whether youth, domestic, just --

Ms. McLaughlin:

Yes. Basically we can take all kinds of problems, everything from landlord/tenant issues, to neighbor/neighbor disputes around property issues, to family matters, to --

The Chair:

Public policy.

Ms. McLaughlin:

Public policy issues, certainly.

Ms. Levdansky:

Multi-party cases, disputes between youths.

Ms. McLaughlin:

Yes, the multi-party cases would involve any kind of neighborhood disputes, where there's many different parties and interests.

The Chair:

And Council members.

Ms. McLaughlin:

Council members can call, too.

Mr. O'Connor:

What's that number again?

Ms. McLaughlin:

Yes, so we can take all kinds of issues, and there is no forfeiting of anyone's right to go on to the litigation process, but by people coming together and working through a process of

resolving their own disputes, we have seen terrific track record and have alleviated the litigation avenue.

Is there anything else anyone wanted to add in response to this proclamation?

The Chair:

Thank you very much. Out of 115 million dollar Public Safety budget the 10,000, I think we give the Mediation Center, is money well spent.

Ms. Levdansky:

Twenty.

The Chair:

Twenty thousand. Well, we are getting up there.

Ladies and gentlemen, I see Ms. Catherine Irvis in the audience from the National Political Congress of Black Women, and there are many honorees who are in the audience today, some tremendous families, that we would like to pay tribute to, and at this time I would respectfully call on my colleague, Councilman Christopher Smith.

If we could have Ms. Irvis and our distinguished members come forward. Thank you for being patient.

Mr. Smith:

While everyone is coming forward, please, I think that it is very important that we take out time to allow young people to see that someone blazed the trail for them and to take a moment out to honor those who blazed that trail. So, I think that it is extremely important that the information go out, that we use the various forums available to get the message out about family, hard work and long-term goal oriented families.

The Chair:

Let me apologize, first, to all of our honorees. Ms. Irvis sent so much information about the families, rightfully so, because of the tremendous contributions of the various families

being honored. Today's resolution highlights the event where all of you will be honored on Saturday, May 7th, and by that date we will have formal proclamations for each family delineating a lot of the information that has been provided to this Council. So, I apologize for not having those plaques today, we will have them ready in time for the event on May 7th.

And, at this time I will turn it back to Councilman Smith.

MR. SMITH PRESENTS

No. 486 WHEREAS, the National Political Congress of Black Women recognizes that black women have long been beacons of progressive political change but that continuing social and economic inequality demands the direct involvement of black women in the political process; and

WHEREAS, on Saturday May 7, 1994, the Pittsburgh Chapter of the National Political congress of Black Women will be sponsoring its second annual "Spring forum/Maypole rapping" at the Bidwell Training center; and

WHEREAS, five local African-American families will be honored by the Pittsburgh Chapter of the National Political Congress of Black Women in celebration of the International Year of the Family; and

WHEREAS, Corrine Davis Allen and Robert Santee Allen should be commended for raising five children who have all distinguished themselves in successful careers as professionals and made valuable contributions to the community, including a daughter who is a Judge of the Allegheny Court of Common Pleas; and

WHEREAS, Blanche Anderson, matriarch of the Anderson/Coles family should be commended for her family's valuable contributions to the community including their activities in church, union and fraternal organizations; and

WHEREAS, Mary Elizabeth Thornton Humphries and Lawrence Humphries should be commended for raising a successful family of

ten children each of whom has obtained a skill as a tradesperson or professional and made valuable contributions to the community; and

WHEREAS, Inez Edith Hurst, wife of the late Thomas J. Hurst, should be commended for successfully raising 8 children who all finished high school and college and made valuable contributions to the community, 9 grandchildren, 14 great grandchildren and 2 great great grandchildren; and

WHEREAS, Fannie E. Moncrief, wife of the late Lawrence Moncrief, should be commended for the valuable contributions her family has made to the community and for successfully raising 2 children who went on to careers as professionals as well as 3 grandchildren and 5 great grandchildren.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends the Pittsburgh Chapter of the National Political Congress of black Women, Inc., for its work in bringing black women into leadership positions in American politics and for recognizing the importance of family ties and family values; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby commends the Allen, Anderson/Coles, Humphries, Hurst and Moncrief families for their valuable contributions to the Pittsburgh community and for serving as models of success within the African-American community.

MR. SMITH moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Smith:

Thank you, colleagues. There is quite a number of families represented here. I am going to ask that we have the head of the Congress come forward and say a few words and choose someone to speak. If you would be so kind, Ms. Irvis.

And, I see several members of the Gaines family also, and I am sure that we are going to correct this proclamation by the event and make sure it is accurately reported.

Ms. Irvis, welcome.

Ms. Irvis:

Councilman, President Ferlo and Council members, thank you very much for extending the presentation to five family members in the City of Pittsburgh, five great families in the City.

Everything has certainly been said by Councilman Smith, so I do not need to reiterate. What I would like to do is introduce each family and if they would like to have something to say, they may do so.

First the Coles family. Would you step forward please. I will step down.

Ms. Coles:

My name is Eleanor Coles, and I am here with my aunt, the matriarch of our family, Mrs. Blanch Anderson, and I would like to thank the Congress and also thank City Council for the award that they are going to present to us on May 7th.

I know that it has been a difficult role for black females but things are getting better and we are going to continue to help it be that way. Thank you.

Ms. Irvis:

The Moncrief family.

Mr. Moncrief:

Thank you very much, members of Council, we certainly appreciate your recognition, on behalf of our 91 year old mother who could not be here today but will be there on Saturday.

The Moncrief family -- the first member of the Moncrief family arrived to Pittsburgh about 70 years ago, now four generations of the Moncriefs are living in the City. We are proud to be citizens of the City and proud of the contributions that we probably have made to the City. My sister is here with me, and we thank you very much for this recognition. Thank you.

The Chair:

Thank you.

Ms. Irvis:

The Gaines family.

The Chair:

Hello, Ms. Gaines.

Ms. Gaines:

Good morning, President Ferlo, Mr. Smith and Council members. I want to thank you all for having us here today. My mother, who is 95 years old, I am here with her today. She has been the boss all these years, I do not know why she wanted me to come up here and do the talking. But, I just want to thank you for this recognition.

The Chair:

Thank you. You are very welcome.

Mr. Smith:

Would someone from the Humphries family -- you all cannot be shy.

Mr. Humphries:

Thank you very much, everyone here, for recognizing our family, the Humphries family. This is my mother, Mrs. Mary Humphries, and our father, Lawrence P. Humphries, has past, but without mom there would not be the rest of us standing here today, because she has been the backbone of all of us, and I must say, especially, when I say, all of us, me, since I play music and they had to take me around the City of Pittsburgh so I could play, and I am the youngest one of ten, and without the support, the foundation that she laid on all the brothers and sisters, I would not be where I am at right now today, and thank God for Mary Elizabeth Humphries.

Ms. Irvis:

The Allen/Davis family, Cheryl Allen Craig, I think we all know, is next.

Mr. Allen:

I am Robert Allen, and I am the only representative of my family, my wife had to go into the hospital this morning, and I would like to thank you, City Council, and the organization, and thank you very much.

The Chair:

Thank you, sir.

Mr. Smith:

Would you like to tell us about the events on May 7th.

Ms. Irvis:

When I was a kid -- when I say for everybody -- I enjoyed wrapping the Maypole. The 1st of May we would celebrate spring and we would celebrate that by wrapping the Maypole and dancing and singing. So, in case you missed it when you were young, come out on Saturday to Bidwell Training Center on the North Side where we will be celebrating spring and wrapping the Maypole. The Maypole wrapping will be about 1:30. Thank you.

The Chair:

Thank you all. Congratulations on being honored, this being International Year of the Family.

THE CHAIR PRESENTS

No. 487 WHEREAS, the Pittsburgh Children's Festival, Inc., with offices located at One Riverfront Center, 9th Floor, in the City of Pittsburgh, is an independent, not-for-profit, charitable and educational organization which seeks to provide cultural enrichment for children; and

WHEREAS, the Pittsburgh Children's Festival, Inc., has been incorporated in the Commonwealth of Pennsylvania since 1985, and has been granted exemption from Federal Income Tax under Section 501(c)(3) of the Internal Revenue code; and

WHEREAS, the Pittsburgh Children's festival, Inc., desires to operate certain small games of

chance and/or conduct raffles to generate funds to finance its operations and further its purposes.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Pittsburgh hereby recognize and declare the Pittsburgh Children's festival, Inc., to be a Civic and/or Service organization within the context of the Pennsylvania Small Games of Chance Act, as amended.

Mr. Hertzberg:

So moved.

MR. COHEN seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

Are there any other loose end proclamations that need to be read into the record. We had so many jointly sponsored proclamations today, I lost track.

MR. SMITH PRESENTS

No. 488 WHEREAS, it is both fitting and proper for each of us to pause and reflect upon the life of a man who gave to others and lived for others, and it is important that we keep his memory alive in our minds as a man who cared for the poor, the hungry, the down-trodden and the under-represented of our society. Surely, it is right for us to remember Bishop Duane A. Darkins, Councilman of the 9th Council District in the City of Pittsburgh; and

WHEREAS, Bishop Duane A. Darkins now resides on the other side of Paradise. He leaves a rich legacy to everyone whom he represented or touched. The youth of the community will remember him for attending their football and basketball games, advocating for youth employment during the summer, and attending other various events. The elderly, hungry and those who were down on their luck could always depend on Councilman Darkins during Thanksgiving and Christmas; they knew Duane would not let them go hungry; and

WHEREAS, Councilman Darkins always shared the fruits of the Spirit with his constituents:

patience, kindness, and humility. The former prisoner, drug addict, homeless and the disinherited of our City felt at home in the corridors of City Hall whenever they came to see Councilman Darkins; and

WHEREAS, as Chairman of the Committee on Public works, Councilman Duane A. Darkins used his elected position to improve the quality of life for the total citizenry of Pittsburgh. He used the resources of government to solve problems, because to Duane, "It was never a problem"; and

WHEREAS, Bishop Duane A. Darkins responded to the call of a Higher Being. He was driven to participate in government, where he used his time for the cause of others, for to him, "Eternity was in it."

NOW, THEREFORE, BE IT RESOLVED, that we celebrate the life and works of Bishop Duane A. Darkins, and give thanksgiving for his gracious acts of charity, leadership and love which he freely gave to his community and to the City of Pittsburgh as the elected Councilman of Council District No. 9.

MR. SMITH moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

The Chair:

At this time we will move to the Presentation of Papers.

MR. CUSICK PRESENTED

No. 489 Resolution repealing Resolution 1044, effective October 29, 1981, entitled, "Providing for the issuance of a warrant in favor of Duquesne Light Company in the amount of Six Thousand Eight Hundred Forty-Two Dollars and Sixty-One Cents (\$6,842.61) for the City's share of materials furnished and work performed in accordance with the Public Utilities Commission Order of May, 1978, Elizabeth Street Bridge; and providing for the payment thereof.

Also,

No. 490 Resolution repealing Resolution No. 433, effective June 16, 1988, entitled "Providing for the issuance of a warrant in favor of Disposable Waste Systems, Inc., in the amount of \$3,393.63 for the repair of a disposable waste system at the Pittsburgh Zoo; and providing for the payment of the cost thereof.

Also,

No. 491 Resolution repealing Resolution #49, effective February 15, 1983, entitled "Providing for the issuance of a warrant in favor of Equitable Gas Company in the amount of Ten Thousand Five Hundred Eighty Dollars and Sixty Seven Cents (\$10,580.67) in payment for the City's share of materials furnished and work performed on South Aiken Avenue Bridge and Herron Avenue Bridge; and providing for the payment thereof.

Also,

No. 492 Resolution providing for the issuance of a warrant in favor of Michael Facchiano Contracting, Inc., in the amount of \$51,300.02 as final payment of an Emergency Contract for the Construction of a Retaining Wall on Steuben Street; and providing for the payment of the cost thereof.

Also,

No. 493 Resolution providing for the issuance of a warrant in favor of Pugliano Construction Company in the amount of \$17,388.61 as final payment of an Emergency Contract for the Construction of a Retaining Wall on Calera Street, located in the 31st Ward, 5th Council District; and providing for the payment of the cost thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 494 Resolution amending Resolution #1428, effective December 31, 1993 entitled "Providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for Construction and Construction Inspection for Phase I of the City's Fifth/Forbes

Street Improvement Project; and providing for the payment of the costs thereof," by providing for a partial front funding for said project.

Also,

No. 495 Resolution amending Resolution No. 723, effective May 28, 1993, entitled "Providing for a Contract or Contracts or the use of existing Contracts for the Reconstruction of Grant Street/Liberty Avenue-Phase 3; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof," by amending the title to include Construction Inspection Services.

Which were severally read and referred to the Committee on Engineering and Construction.

THE CHAIR PRESENTED

No. 496 Resolution transferring the amount \$6,000.00 from Code Account 1103 (110304), Miscellaneous Services, Department of City Planning to Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation.--(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

MR. SMITH moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

Also,

No. 497 Resolution providing for a Cooperative Agreement between the City of Pittsburgh and the Borough of West Homestead in connection with the milling and paving of Basic Avenue between Eighth Avenue and the City Line and providing for the payment thereof by the Borough to the City of the Borough's share of the costs thereof.

Also,

No. 498 Resolution providing for a Cooperative Agreement between the City of Pittsburgh and the Borough of Crafton in connection with the milling and paving of Baldwin Road between Steen to Crafton Boulevard and providing for the payment thereof by the Borough to the City of the Borough's share of the costs thereof.

Also,

No. 499 Resolution providing for a Cooperative Agreement between the City of Pittsburgh and the Borough of Crafton in connection with the milling and paving of Crafton Boulevard between Baldwin Road and Noble Avenue and providing for the payment thereof by the Borough to the City of the Borough's share of the costs thereof.

Also,

No. 500 Resolution granting unto Diocese of Pittsburgh, Cardinal Dearden Center, 4721 Fifth Avenue, Pittsburgh, Pennsylvania 15213, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a steel roof cornice, curved facade and a banner pole to extend over a portion of the right-of-way of First Avenue in the 1st Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 501 Resolution granting unto Integra Financial Corporation, 300 Fourth Avenue, Pittsburgh, Pennsylvania 15278, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a concrete handicap ramp in the right-of-way of Penn Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 502 Resolution granting unto Aussie's Downunder Pub and Grill, Gary J. McDonald owner, 4617 Liberty Avenue, Pittsburgh, Pennsylvania 15224, their successors and assigns, the privilege and license to construct, maintain and

use at their cost and expense, a sidewalk cafe on a portion of the sidewalk on Liberty Avenue in the 9th Ward, 7th Council District of the City of Pittsburgh.

Also,

No. 503 Resolution vacating Unnamed Way from Jennie Street in a northwest direction a distance of 88.26 feet to its terminus in the 19th Ward, 2nd Council District of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

MR. ONORATO PRESENTED

No. 504 Resolution providing for the issuance of a \$850.00 warrant in favor of Zionist Organization of America in settlement of claim for sidewalk damage, charging the same to Code Account No. 46, Judgments.

Also

No. 505 Resolution providing for the issuance of a \$954.00 warrant in favor of Dorothy Graham in settlement of claim for automobile damage, charging the same to Code Account No. 46, Judgments.

Also,

No. 506 Resolution providing for the issuance of a \$1,305.00 warrant in favor of Pronto Enterprise for automobile damage, charge to Code Account No. 46, Judgments.

Also,

No. 507 Resolution providing for the issuance of a warrant in the sum of \$9,000 to Richard E. Barron and Elizabeth Y. Barron, as parents and natural guardians of Jason R. Barron, a minor c/o Donald J. Strunk, Esquire, McCrady & Nicklas, Third Floor McCrady-Nicklas Building, 304 Ross Street, Pittsburgh, PA 15219 in full and final settlement of an alleged accident occurring at the Pittsburgh Zoo in the City of Pittsburgh on or about July 1, 1990, charging the same to Code Account 46, Judgments, Index Code 004606.

Which were severally read and referred to the Committee on Finance.

MR. SMITH PRESENTED

No. 508 Resolution repealing Resolution No. 548, effective May 7, 1993, entitled "Resolution providing for an Agreement or Agreements with Garfield Can for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00.

Also,

No. 509 Resolution providing for an Agreement or Agreements with Bloomfield-Garfield Corporation for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00. Funds are available from the 1993 Community Development Block Grant Program "City Council", Index No. 611855.

Also,

No. 510 Resolution providing for a Cooperation Agreement between The Housing Authority of the City of Pittsburgh and the City of Pittsburgh for the funding of the Central Relocation Agency in the amount of \$480,000.00, chargeable to and payable from Code account 1993 CDBG Program - Housing Authority, "Central Relocation Agency" Project #4-65-01-0570-93-525-93-65, Index #612879.

Also,

No. 511 Resolution amending Resolution No. 1219 effective November 1, 1993, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1993 Community Development Block Grant Program" so as to remove a line item from the URA (Central Relocation Agency: - \$480,000.00) and add a line item in the Housing Authority, City of Pittsburgh (Central Relocation Agency): + \$480,000.00; and further

to delete a line item (Garfield Can: -\$2,000.00) and create a new line item (Bloomfield Garfield Corporation: +\$2,000.00) City Council.

Which were severally read and referred to the Committee on Planning, Housing & Development.

MR. SMITH moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Which motion prevailed.

Also,

No. 512 Resolution renewing Resolution No. 774, approved by City Council on June 8, 1993 authorizing Arch Court Inc., to construct a four-story structure to be located 1310 Arch Street with 39 dwelling units for the elderly and one unit for a resident manager, 22nd Ward.---(COUNCIL DISTRICT NO. 6)

Also,

No. 513 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$500,000 to the Pennsylvania Department of Community Affairs for The North Shore Redevelopment Project Area.---(COUNCIL DISTRICT NO. 1)

Also,

No. 514 Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for The North Shore Redevelopment Project Area providing for the reimbursement by the City of the Commonwealth for any expenditures found by the department of Community affairs to be eligible and obligating the City to pay any local share of project costs.---(COUNCIL DISTRICT NO. 1)

Also,

No. 515 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire

all the City's Right, Title and Interest, if any, and to the publicly-owned property in the 18th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 14-N, Lots 34 and 35, under the Residential Land Reserve Fund.--(COUNCIL DISTRICT NO. 3)

Also,

No. 516 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the publicly-owned property in the 3rd Ward of the City of Pittsburgh designated in the deed Registry Office of the Allegheny County as Block 2-D, Lot 303, under the Residential Land Reserve Fund.--(COUNCIL DISTRICT NO. 6)

Also,

No. 517 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the publicly-owned property in the 21st Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 7-B, Lot 179, under the Residential Land Reserve Fund.
---(COUNCIL DISTRICT NO. 6)

Also,

No. 518 Resolution approving execution of a Contract for Disposition by sale of land by and between the Urban Redevelopment Authority of Pittsburgh and Booker T. and Doris L. Savior for the sale of Block 14-N Lots 34 and 35 in the 18th Ward of the City of Pittsburgh (SIDEYARD).---(COUNCIL DISTRICT NO. 3)

Which were severally read and referred to the Committee on Planning, Housing & Development.

THE CHAIR PRESENTED

No. 519 Communication from Linda M. Johnson-Wasler, City Clerk, submitting First Quarter travel reports for 1994 from various departments.

Also,

No. 520 Communication from Tom Flaherty, City Controller, submitting the Comprehensive

Annual Financial Report for the City of Pittsburgh for the fiscal year ended December 31, 1993.

Which were read.

The Chair:

Motion to receive and file.

Mr. Hertzberg:

So moved.

MR. SMITH seconded the motion.

The Chair:

All in favor?

WHICH MOTION PREVAILED.

The Chair:

Thank you. That concludes our Presentations of Papers.

Under old business or unfinished business or reports of special committees?

Hearing none, I would like to move directly to Reports of Committees.

REPORTS OF COMMITTEES

MR. ONORATO PRESENTED

Bill No. 437

Report of the Committee on Finance for April 27, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 317

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of KPMG Peat Marwick in the amount of Eight Thousand Dollars (\$8,000.00) in payment for research services rendered in connection with a proposed bond issue to repay City of Pittsburgh electric utility charges, chargeable to and payable from Code Account

1063 Index Code 106302, Miscellaneous Services
Department of Finance."

Which was read.

Also,

Bill No. 398

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$12,500 to Ruth J. Hamilton and Larry Hamilton c/o Jon C. Botula, Esquire, 810 Grant Building, Pittsburgh PA. 15219 in full and final settlement of an alleged accident involving a City Street Cleaner and the vehicle owned by Ruth Hamilton at the intersection of Homewood Avenue and Thomas Boulevard in the City of Pittsburgh on or about July 10, 1989."

Which was read.

Also,

Bill No. 399

A Resolution entitled, "Resolution providing for the issuance of a \$1,379.99 warrant in favor of Rachelle Terry in settlement of claim for automobile damage, chargeable to and payable from Code Account No. 46, Judgments."

Which was read.

Also,

Bill No. 400

A Resolution entitled, "Resolution authorizing and directing the Director of Finance and the City Controller to open an account or accounts with the Commonwealth of Pennsylvania, Office of the Treasurer for the investment of City funds."

Which was read.

Also,

Bill No. 401

A Resolution entitled, "Resolution authorizing and directing the Director of Finance and the City Controller to open an account or accounts with the Laurel Funds, Inc., for the investment of City funds."

Which was read.

Also,

Bill No. 402

A Resolution entitled, "Resolution authorizing and directing the Director of Finance and the City Controller to open an account or accounts with PNC Securities, for the investment of City funds."

Which was read.

Also,

Bill No. 426

A Resolution entitled, "Resolution providing for the issuance of a \$3,519.44 warrant in favor of Lucie Buehl and Timothy Kirkston in settlement of claim for property damage."

Which was read.

Also,

Bill No. 427

A Resolution entitled, "Resolution providing for the issuance of a \$20,181.76 warrant in favor of Joel and Kelli Hollis for property damage."

Which was read.

Bill No. 428

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property, properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984."

Which was read.

Also,

Bill No. 461

A Resolution entitled, "Resolution authorizing the transfer of the amount of \$925,000.00 from Code Account 45, (004507) Health Insurance, Municipal Employees to Code Account SSFSP, (27-256),

Special Summer Food Service Program Trust Fund the amount of \$800,000.00 and to Code Account SPP (254359), Special Parks Programs the amount of \$125,000.00 in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 463

A Resolution entitled, "Resolution amending Resolution No. 1385, effective December 15, 1993, entitled, 'Providing for an agreement or agreements with a consultant to assist the City of Pittsburgh for a monthly cost of \$7,200.00 chargeable to and payable from Code Account 1017, Index Code 101709, Miscellaneous Services, Mayor's Office by increasing the total allocation."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills? Mr. Cohen.

Mr. Cohen:

Thank you, Mr. President. On Bill 427, on that lawsuit, regarding a settlement for property damage, I do want to thank Mr. George Specter for sending us a memorandum that includes a breakdown of all of the property loss, and after reviewing that, I think it is appropriate to provide these people with the money that represents the furniture and other items that were damaged.

The Chair:

Thank you, Mr. Cohen. Any other comments?

On Bill No. 317, regarding a warrant for KPMG Peat Marwick in the amount of \$8,000.00, I am voting "no" on this because the first activity pursuant to the hiring of this consultant, this had to do with whether or not, a couple of years ago, the City should contemplate a bond issue to pay for a portion of the Duquesne Light bill over a long

period of time, the presumption was that money would be saved. The first immediate response was from the Department of Community Affairs which made it clear to the Finance Department and Director Hayllar at the time, that they would not support and did not feel that this was within the parameters of the authority of City government. At that point the issue should have ended, there was no need to hire an independent auditor to continue to do due diligence to evaluate the performance, and I just think it is inappropriate. I just wanted to explain why I am voting "no".

Councilman Cohen.

Mr. Cohen:

Mr. President, this is new information, that has come to light to me, anyway. Do you have a copy of that correspondence from the Department of Community Affairs, so that we could look at it and evaluate it?

The Chair:

In the response memo that Council requested from the Department of Finance there was a memo which explained the scenario of what was incurred regarding the contracting of this auditor and it made mention specifically that the Department of Community Affairs, which as you know, has to approve bond issues, did not support the execution of this proposal. So, at that point I do not know why the Administration, albeit the previous Administration, continued to pursue the matter, it should have ended at that point, no need to incur the cost associated with continuing the due diligence of the work.

And, secondly, when Council was presented -- because I raised a number of concerns when Director Hayllar was at the table -- we were lead to believe that the only expenditure, if there would be any, would come about as a direct result of this deal being approved and the payment would go to the independent contractors that approached City government, and that they would get their fee when and if the deal would go through. So, all of a sudden this warrant appears and it is not something I support, I do not think it was needed and I do not understand how the services were contracted for.

So, I am just personally voting "no" and I just want to explain my action.

Mr. Cohen:

I understand and respect that. I did not see that, and if it was provided to Council, my apologies for not seeing it.

The Chair:

I think you received it a couple weeks ago.

Mr. Cohen:

So, that is new information. I think it is pertinent information. And, I do not know if my colleagues looked at it or not, but I would like to make a motion to recommit the bill so that we can study it.

MR. CUSICK seconded the motion.

The Chair:

Moved and seconded to recommit Bill 317. All in favor? Opposed? The bill is recommitted.

WHICH MOTION PREVAILED.

The Chair:

Is there any other discussion on any matter? The bills are now ready for final action.

All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 8 NOES 0

(MR. HERTZBERG ABSTAINING TO BILL NOS. 401 AND 402)

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

THE CHAIR PRESENTED

Bill No. 522

Report of the Committee on Public Works for April 27, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 392

A Resolution entitled, "Resolution providing for an agreement or agreements with the Commonwealth of Pennsylvania, Department of Transportation for the installation, maintenance and energizing of highway, decorative and accent lighting on the Smithfield Street Bridge."

Which was read.

Also,

Bill No. 393

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for a gyratory compactor for use on mix design and quality control for flexible pavements and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 422

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to grant unto the Bloomfield Bridge Cafe, 4412 Liberty Avenue, Pittsburgh, Pennsylvania 15224, their successors and assigns, an encroachment to construct, maintain and use at their own cost and of the City of Pittsburgh."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo
(Pres't)	

AYES 8 NOES none

The bills having received the legally required number of votes are passed finally.

MR. SMITH PRESENTED

Bill No. 523

Report of the Committee on Planning, Housing & Development for April 27, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 469

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to purchase two-thirds of the property in the 10th Ward known as the Stanton Heights Shopping Center through the Industrial Shopping Center through the Industrial Land Reserve Fund. The seller, Garfield Heights Congregation of Jehovah's Witnesses, will sell the Authority approximately 3.7 acres.---(SPONSORED BY MR. SMITH & MR. FERLO)

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo
(Pres't)	

AYES 8 NOES none

The bill having received the legally required number of votes passed finally.

MR. O'CONNOR PRESENTED

Bill No. 524

Report of the Committee on General Services for April 27, 1994 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 424

A Resolution entitled, "A Resolution providing for an agreement or agreements or the use of existing agreements for an internship for graduate student (s) for a period of one year, from January 1, 1994, until December 31, 1994, to perform various energy related services for the Department of General Services and providing for the payment of the cost thereof.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 8 NOES none

The bill having received the legally required number of votes passed finally.

Bill No. 425

A Resolution entitled, "Resolution providing for an Agreement of Lease with Don Morine, President, John Weinhold, Vice-President/General Manager of Property Ventures LTD, for certain office, computer and storage space, together with the right to use in common with others the common areas in the Chambers of Commerce Building, 411 Seventh Avenue, Pittsburgh, Pennsylvania 15219, for a term of two (2) years and an option year, providing for the payment thereof.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Mr. Cusick:

I would like to vote "no" on Bill 425 and have my comments brought forward from Wednesday's meeting.

(REMARKS - SEE ADDENDUM)

The Chair:

The bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Mr. O'Connor	Mr. Smith

AYES 6 NOES 2

(MR. CUSICK AND MR. FERLO, PRES'T VOTING NO)

The bill having received the legally required number of votes passed finally.

MR. HERTZBERG PRESENTED

Bill No. 525

Report of the Committee on Parks and Recreation for April 27, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 462

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into an Agreement or Agreements, in a form approved by the City Solicitor, with the Pittsburgh Board of Public Education for the purpose of providing professional services in connection with the Summer Lunch Program for the benefit of the residents of the City of Pittsburgh. The cost not to exceed \$700,000.00, chargeable to and payable from Code Account SSFSP (270256) Special Summer Food Service Program."

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill? Councilman Cusick.

Mr. Cusick:

Yes. We just received a list of the facilities they will be using for this program and I was upset not to see that there was a program in the Beechview area, and I would like to ask Mr. Hertzberg for his help in trying to find a facility and see that Beechview is part of this program by June.

Mr. Hertzberg:

You have got my help, I would be happy to, and the bill does not contain locations, although we have received proposed ones and we do have until June the 1st. I would be happy to work with you and try to work with Parks and Recreation on getting Beechview some kind of Summer Lunch Program.

Mr. Cusick:

Thank you.

The Chair:

Please, if there are any other locations for appropriate summer feeding sites, given the specifications required, could you please communicate as soon as possible to Director Gallo.

Other comments? Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no".
The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo
	(Pres't)

AYES 8 NOES none

The bill having received the legally required number of votes passed finally.

MOTIONS AND RESOLUTIONS

THE CHAIR PRESENTS

No. 526 Resolution appointing Jim Ferlo, 1118 N. St. Clair Street, Pittsburgh, Pennsylvania, 15206 to the Comprehensive Municipal Pension Fund Board of the City of Pittsburgh for a term of four years or their earlier termination as members.

Which was read.

Also,

No. 527 Resolution appointing Paul Hennigan, 1420 Centre Avenue, Apartment 315, Pittsburgh, Pennsylvania, 15219 to the Comprehensive Municipal Pension Fund Board of the City of Pittsburgh for a term of four years or their earlier termination as members.

Which was read.

Also,

No. 528 Resolution appointing Deputy Mayor Sal Sirabella, 699 Stonegate Drive, Oakdale, Pennsylvania, 15071 to the Police Pension Board of the City of Pittsburgh for a term of four years or their earlier termination as members.

Which was read.

Also,

No. 529 Resolution appointing Charles Dickinson, 3326 Kathy Drive, Pittsburgh, Pennsylvania, 15204 to the Fire Pension Board of the City of Pittsburgh for a term of four years or their earlier termination as members.

Which was read.

The Chair:

The Code of Ordinances stipulates various individuals that shall serve on these various pension boards, including the Comprehensive

Board. What is the pleasure of the body? We need a motion to approve, or if you want to take the time to interview.

MR. RICCIARDI moved to approve the appointments.

MR. ONORATO seconded the motion.

The Chair:

It has been moved and seconded, is there any discussion on the matter? Councilman Smith.

Mr. Smith:

Yes. Are each of these appointments the mandated appointments; there is no one that is --

The Chair:

I believe the ordinances define certain individuals, the President of Council, the Fire Chief and Finance Director shall serve on these various boards.

Mr. Smith:

So, all four positions, or five, since I do not have it written -- four positions, are mandated by the Charter?

The Chair:

I believe that is the case but I cannot quote that verbatim. I believe it is not in the Charter but in the Code of Ordinances defining these various pension boards. If you would like to hold that and resolve that matter, I have no problem with that, it is up to the body.

There is a motion on the floor, is there any discussion, is there unreadiness on the motion? Councilman?

Mr. Smith:

I will take your word at face value.

The Chair:

Well, I hope I am accurate.

All in favor of accepting the appointments?
The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 8 NOES none

WHICH MOTION PREVAILED.

The Chair:

The appointments are made, notwithstanding Councilman Smith's issue.

I would like to first ask my colleagues, in light of our Mayor's statements and actions announced yesterday, I think we need to have a little bit of a discussion about what is going on and what needs to go on.

I would respectfully request that this Council consider a formal motion under Article 5, Section 507 of the Home Rule Charter asking that we communicate to the Mayor for the purposes of reopening the operating budget here in City government, and I would like to suggest that we do this for a number of reasons.

First of all, I want to applaud Mayor Murphy and his Administration, coming in as new administrators in City government; it is true that they did work for a few months prior to their taking office January 3rd to try to ascertain from the previous Masloff administrators what was fact and fiction regarding the operation of various City departments. I think they tried to do that to the best of their ability.

To the public and to my constituents, I think we should clearly state that when this Council formulates a budget, it has to rely heavily on not only good faith but the accuracy of administrators in various City departments to formulate what they feel are proper spending allocations, and that is during the annual budget proceeding. Obviously

with the announcement from the Controller's Office of the consolidated annual financial report, which came out on May 1st, it is clear that not only revenue projections, but expenditure projections were not accurate as being prepared and presented to this Council by various department directors during the November/December 1993 budget proceedings.

I think really the amount and the magnitude of the proposed budget deficit would suggest to this Council, and that is why I am asking you to consider this formal motion to the Mayor, it really throws off a lot of the methodology used in this Council deciding on what the various budget appropriations shall be department by department by department.

I applaud the Mayor for taking the bull by the horns and coming forward with some bold initiatives but I think we need to look further at some of these issues, and I just want to try to quickly go through a few concerns.

First of all, in the pronouncements of yesterday, there was an indication or a hope that somehow by collecting maybe up to 18 million dollars in uncollected water bills, and that figure still seems to be questionable about what that actual figure is, that somehow that is going to translate into dealing with the deficit in the City's operating budget. I do not think that is accurate. It is true that we need to collect that money and we should be doing that. This Council has been on record of trying to resolve that for the last many years, going back to even the Caliguiri Administration. The fact of the matter is, that revenue does not come back to the City operating budget but would rather appear in the financial sheets of the Water and Sewer Authority. So, that issue might be good P.R. but it has nothing to do with trying to resolve some of the problems.

That, again, I applaud the Mayor for coming out yesterday and making some of the pronouncements, trying to deal with a difficult issue. The pronouncement yesterday regarding the receipt of potentially three million dollars from parking tickets with a proposed amnesty program and/or as a result of last week's post agenda coming up with additional collection methods for parking fines and fees. I think that is really an unrealistic figure, given some of the information we received from Judge Machen

on what actually is potentially collectible, given the six-month period.

The five percent decrease across the board, to me cuts disproportionately against already lean departments. That goes back to my earlier point, which really is that the budget is not only out of whack financially but the whole methodology that this Council improved in terms of the budget is also out of whack, and I think we need to ask for a reopening of the budget so that we together with the Mayor can have some say so on what types of budget cuts we need to be engaged in.

I would strongly suggest that the court system is already bare bones and there is really not a lot to cut, including, I believe, the Department of Finance, where many of those jobs are involved in actually collecting revenues. The individuals working in Finance and the courts are responsible for the actual collection of a lot of the revenue. So, just having a blanket five percent cut across the board, again, I question. I applaud the initiative, I support the initiative of the five percent but I think in terms of the actual cut by department, we need to look realistically and not view all departments as the same because they are not.

In terms of city Council's budget, I think, with the cooperation of this Council, we can meet the Mayor's request of the five percent cut. We went through this very quickly between the 50,000 budgeted for legal counsel, a Clerk Typist position, a reduction in the printing of the City Code, which we hope to achieve, and some reductions in the Workers' Comp budget in Council because of a computation that the Administration supported of a former employee here, we can meet a 101,000 reduction, meeting the Mayor's request at five percent, and I would certainly urge our colleagues to support that.

The issue of the three percent cut for all non-union, management and supervisory staff, only affects approximately eight percent of the overall City work force. Non-union employees already -- historically and consistently, have received less pay increases than the bargaining units, the police, fire, ACME workers, and the like. In the five years that I have been here, and I think two years prior to my arrival on Council, it is those group of employees who, at least on two occasions, already took a hit by not getting a cost of living increase. I think it is very unfair and

actually counterproductive to single out a very small fraction of the overall work force for a three percent cut. It may be symbolic but I think in terms of an Administration building a customer friendly work force, I think we need to rely on those workers and I think it is unfair and counterproductive to pick on those 4 or 500 employees who have already beared the burden in the past and I think it is disproportionate and unfair and actually counterproductive. I would ask that the Mayor, prior to June 1st, reconsider that issue, that would generate hope for a \$300,000.00 amount of money.

The reason why I think we need to reopen the budget is that this Council is supportive of a number of actions requested by the Mayor and his new Administration early on and we took him on good faith and we proceeded to institute a number of budget changes because I think there was definitely a strong feeling of cooperation and wanting to allow the Mayor broad prerogatives in defining and restructuring what he thinks he needs to do in terms of operation of City government.

But, in light of the budget issue, I do not think we can just leave to executive caveat the financial affairs of the City government. I think this Council is vested and has a responsibility to deal with a balanced budget and so far the proposed cuts and the strategy, it is a one-way street. I think this Council needs to reconvene and reinvigorate and reassess our position on the budget and I think we need to do that in a cooperative spirit with a Mayor and Administration that is coming to grips with a real problem, but I think that needs to be a two-way street.

So, again, that is the sense of why I think we need to ask that the City budget be reopened.

I want to just close by just very quickly capsulizing some concerns. This Council supported a 30 percent increase in the budgeted number of salaried positions in the Mayor's Office.

Again, that 30 percent -- excuse me, a 30 percent decrease in the Mayor's increased staff position, would more than generate the \$300,000.00 that would be achieved rather than the three percent cut of going after the non-union employees.

The Administration has added a significant number, I believe at least 10 or 12 new automobiles to the Mayor's Office and key department directors and managers.

Again, that alone, the addition of those cars, financing out of City budget, gasoline, and the sort, is a significant amount of money and I think again we should look at that and call that into question.

I think an immediate practical financial issue that maybe we could support and should be encouraged, as opposed to the three percent cut attacking the white collar workers, would be to institute an across the board immediate freeze on any hiring of all City positions, except for police. I think that is something that we should consider, but I would rather consider this within the context of a formal budget proceeding where the budget is reactivated and opened.

There are a number of other issues that I could bring up regarding cost savings on intergovernmental cooperation agreements that we could pursue.

Another issue that has come up is the issue over the recycling routes. I know many families -- but in my household there is one little blue bag out every week. If we had bi-weekly or monthly collection of the blue bags, you could alone save a significant amount of money.

So, again, I think we need to sit down with this Administration once again, and I would ask that this body consider a formal resolution to the Mayor asking that under Article 5, Section 507 of the Home Rule Charter, that we sit down and we work as partners to grapple with and deal with this budget crises and that we do it in cooperation with the Administration.

So, my motion, and I would ask that there be consideration of it, is that we formally ask to be partners in this process and that we ask the Mayor to reopen the City budget for the reasons stated. What is the pleasure of the body? Councilman O'Connor.

Mr. O'Connor:

I certainly think that should be considered, and I would just like to cover a few points that we

covered in our March 15th post agenda. One was that we would receive quarterly reports from the Controller's Office to our Budget Office to make sure we do not run into this same problem next year and the year after. I would like a report on that.

The Chair:

That is following the May 1st capita report.

Mr. O'Connor:

Right.

The Chair:

We said following the May 1st we would have a quarterly.

Mr. O'Connor:

And the other thing, we wanted to streamline the computers between the Mayor, Council and the City Controller. If that is being done.

The third item we discussed there was to have an earlier budget, if that is not illegal, but I think we should be starting the budget process much earlier, which we all I think agreed with at that meeting, and I am looking at us starting meetings in September for next year's budget. What you are calling for, opening the budget, we may be able to kill two birds with one stone; if they can cut five percent now, that should be leading up to next year's budget. I am not against opening the budget but I think we ought to be doing it — as we are doing it, we might as well be looking at next year, so that we are not cramming in November.

The Chair:

Well, my point on reopening the budget is that, under the Home Rule Charter, this Council has the responsibility, a moral responsibility, let alone a fiduciary responsibility, to approve a balanced budget. In light of the actual capita report, I would suggest that is not the case and that under the Home Rule Charter it is the obligation of this Council to deal with the financial dilemma.

I applaud the Mayor for taking the initiative and whatever unilateral actions he feels he needs to do

he is going to do, but I think it is two to tango here, and I think we need to work cooperatively. So, my concern is about the existing 1994 budget.

As you know in our meeting with the Mayor I did express that they need to change the M.O., the way they have operated in the past, albeit the previous Administration, and I would like to see Council involved, as you just stated, in next year's budget proceeding prior to the annual report of the Mayor two weeks after the November election. We should do that much sooner, as you suggest.

Mr. O'Connor:

When you say opening the budget — no, I do not agree, that I think five percent is a good goal. Some departments might be only able to do three, others might be able to do six or seven. The number five percent I am sure is very feasible, except in some departments.

The Chair:

I am not disputing that. But, if we are going to look at the financial problem and if we agree that this Council ultimately is the body that approves or rejects a budget, I would suggest that in light of the capita report and in light of the Mayor's actions, that it is the responsibility of this body legislatively to suggest a reopening of the 1994 budget for the purposes of coming to grips with determining what will be a balanced budget.

Obviously many of the suggestions that the Mayor has initiated, I would hope that would be supported by this Council; the five percent, I already indicated I thought that this Council could meet our share of that in terms of the operations and spendings of this Council staff and budget. But, I think there are a number of issues that we need to look at and I do not think we should just leave this to administrative prerogative.

Mr. O'Connor:

If this is open, how long would it take? I just did not want to — I think these actions have to take to start today?

The Chair:

It can only be open after the first five weeks of the new fiscal year, as Council is aware, can only be reopened if the Mayor agrees to reopen it. So, my motion is to respectfully request that we become partners in trying to resolve some of the financial issues; that he appreciate the fact that this legislative body has a responsibility under the Charter to have a balanced budget, and that he further appreciate that this Council operated with information from previous administrators that I feel was inaccurate, and it is that context. That would happen as soon as possible.

Mr. O'Connor:

I agree we should be working as a partnership because we have to face the problems on a day to day basis, too.

The only thing I applaud the Mayor on what he did, the only thing I disagree with the Mayor, as you do, I think that three percent pay cut for a small 400 employees is not fair, it is not good morale and it only represents \$300,000.00. So, I do not like that. I would request him to reconsider that, especially with millions of dollars savings, and one of the things that may happen if we reopen the budget, I think, and I approached the old Administration, who I think was very narrow minded, we are being ripped off millions of dollars by our insurance companies, we are paying much higher than people on the street. I went out to buy some extra life insurance on my own and I can get it cheaper on the street than I can through our life insurance if we would add on. I looked at that, I opened our Workmens' Comp, and I met with some people in the Mayor's Office on this, and the Mayor alluded to doing it now, I know he is waiting to work with the unions in that direction because no one wants to face pay cuts, but I think there are millions and millions of dollars savings there, the sooner we open the budget, I think these insurance companies should be called to task soon so that -- I think you can open theirs, they will renegotiate right now if they know they are going to lose in January.

The Chair:

Well, there is a laundry list of suggestions that have come out of this Council and previous Councils regarding cost savings. I would call and

point out, however, that the three task forces that the Mayor has convened, and I applaud him for convening them, dealing with Workers' Comp and the health care and operations, I do not believe any Council members have been invited to participate on those task forces, and again, I think we need to be a part of those initiatives.

Mr. O'Connor:

Well, basically that was my point, if we cannot be a part of it, whether one or two of us join in in some of these things, we can bring them in as budget because there is a lot of money being wasted. I applaud him for taking a look at it right now. I know he has some good task force out there but I do not think we can wait till January, I feel if these people are called in, they will give us cuts right now.

The Chair:

Others? Councilman Ricciardi, Councilman Cusick, Councilman Cohen.

Mr. Ricciardi:

Thank you, Mr. President. I support your initiative in reopening the budget. My position is very clear and it is very simple, and that is that I believe I have a responsibility to present the taxpayers in the City of Pittsburgh a balanced budget; that is, honest numbers that make sense.

Again, and following your lead, I also applaud Mayor Murphy and his initiatives; however, I do not believe I am a part of that partnership and I do not have the responsibility to balance the budget; that is, that there are difficult questions or difficult matters that need to be solved, it is a very difficult time, and I am willing to step up to the table and if need make these difficult decisions on a line item basis, that is where I believe the priorities of City government should be. Now, obviously those priorities could differ from my own colleagues and the Mayor's Office. My priorities have always been stated, and that is public safety, maintaining the streets, picking up the garbage, and after that we could talk about what we could afford.

But, I am willing to enter into a cooperation with the Mayor in order to get a balanced budget.

The easiest position for me would be is, well, let Mayor Murphy handle it, and I do not have to take any political hits or hits in the neighborhoods that if something needs to be cut or drastically cut or if some very difficult decisions have to be made on personnel, but that has never been my process and I will continue not to go on that. People would remember, I believe in 1992, when I came after the 1991 budget was closed with the reduction of \$1,600,000.00 in reductions, and I took --

The Chair:

Assistant Administrators.

Mr. Ricciardi:

Excuse me?

The Chair:

Assistant Administrator positions.

Mr. Ricciardi:

Yes. And I took a lot of hits off of that, but if one looks at those amendments, nearly 50 percent of those amendments have come true. So, that means, I believe, I was on the right path there.

Again, I would support a motion to reopen the budget in order to work cooperatively with the Mayor to make those difficult decisions, and I think we should send that message over. If we do not open up the budget and all the decisions are made by Mayor Murphy, obviously he is going to have to accept that full brunt responsibility and I in no way will take responsibility for any of the decisions or any priorities that will be set here in this City.

The Chair:

Thank you, Mr. Ricciardi. Councilman Cusick, then Councilman Cohen.

Mr. Cusick:

Thank you, Mr. President.

I just want to state that I, too, support your initiative here today. I just also wanted to state, and I think it is something that we should be

offering Mayor Murphy is, that we have a very able and very experienced budget staff, probably more so than the Mayor's, as far as experience goes, in dealing with the budget. I think that we ought to offer, not only our help but our budget staff's help to the Mayor, to the Administration.

The Chair:

Councilman Cohen.

Mr. Cohen:

Thank you, Mr. President. Frankly, I do not know how, under the Home Rule Charter, that these changes that were unveiled yesterday by the Mayor can be made without reopening the budget. I support that effort and I support Mayor Murphy taking the initiative to put the City back on a firm financial footing, but he spoke about eliminating 150 positions, for example; those are positions that are in the budget, and the only way those positions can be eliminated is by taking them out of the budget. So, I think that is one reason that we need to reopen the budget process. I also absolutely agree that we have to become partners in this enterprise because it is so important to the future of the City of Pittsburgh.

A couple of cautionary notes, one is, on the Public Safety budget, they have been asked to decrease their budget by five percent, as well as every other department budget. I think we ought to examine that very, very closely because of the public safety crisis that we are in to make sure that these cuts are not cuts that undermine the public safety of the City. That is something obviously that we need to examine.

The other, perhaps, condition, though, Mr. President, is, I think we ought to, if we are going to reopen this budget, make it very clear that we are reopening it only for the sake of making cuts, not for the sake of making any additions. We all should work together in making those cuts, but I think we should have at least a verbal agreement here that nobody will be introducing any bills to add to this budget but rather to cut our expenses.

The Chair:

Well, let me clarify my motion. Obviously my motion is pursuant to major announcement from the Controller's Office regarding the actual

revenues and expenditures. The intent here is to reopen obviously for the purpose of approving specific cuts, not in anyway for additions to any budget.

Mr. Cohen:

Well, we know, Mr. President, that there is some skepticism out there of some Council actions and I think if we make it clear up front that if we move to reopen this budget it is solely for the purpose of making cuts, that would make the message very clear.

The Chair:

I have no problem with that, obviously; that is the intent of the motion, it shall so be stated.

Mr. Onorato.

Mr. Onorato:

Thank you, Mr. President. Let me just start off by saying, I appreciate your comment at the very beginning when you stress the point that the staff and the number of bodies that actually prepare these budgets year after year are really on the Mayor's side of the hall. We only have two to three staffs in our offices and I think our budget staff has a total of three, as opposed to hundreds on the Mayor's side, and I think that point should be made clear, and that is the way the City government is set up, that the Mayor's Office prepares the budget and has the resources to monitor the numbers, and to Mayor Murphy's credit, they are doing that now with the help of an independent Controller downstairs that showed us the numbers, and I do not think anyone disputes now that we have a problem.

I think the basic strategy is to cooperate, regardless if the budget is open or it isn't open, regardless of what happens there, we are going to be cooperating with the Mayor's Office. I think we all agree there.

The other issue, and I am not speaking for everyone here, but I know my position is that I do not want to support any tax increases at this point because I think that would be devastating, and I think that would be a knee jerk reaction to a problem that has been developing over the year, and that if you would try to raise taxes to solve that

problem you would only exasperate the problems and probably have more of a flight out of the City and in the long run it would hurt us. I think that if we recognize that this problem has developed over the years and that we have a 20 plus million fund balance deficit, it is not that we are out of balance now, that was just if we had to pay everything today, which we don't, that we would not have enough assets to cover our debts. I just want to make that clear for the people that are listening.

We have the luxury of addressing this problem over the next several years and we should make that very clear, we do not have to solve this in the next six months, it does not have to be equalized and the deficit has to be eliminated by the end of the year. What we have to do basically is get the trend of the deficit going the other direction, so that over the next three, four, five, ten years, that the deficit is down to zero. It does not have to be resolved in six months.

So, by having the time on our side we can start doing what the Mayor suggested yesterday. We might not all agree with every item he suggested but I think we all agree, and you stated it well, Mr. President, that he is making a good faith effort to address the problem, and now the discussion starts.

So, regardless if the budget is open, if the Mayor wants it open, or if he wants to do it without trying to open it, I think that I want to participate in the discussions and that we look at all the options, well, without raising taxes, and that I believe there is plenty of room for cuts, and the other thing that we have to stress, and that I am going to stress, is the priorities are public safety, maintenance and garbage pick up. Those three are the top priorities, and once we can handle those, then we will look at anything else, but until we can handle those, I think everything that is up on the table for discussion should be looked at very thoroughly and determine what is needed and what isn't needed. We are living in very lean times and it is going to require all of us here to make some tough decisions and I am sure everyone here recognizes that and we are ready to do that, and I think what is -- the one thing that came out of this discussion today from the President to all of my colleagues is that no one is fighting, everyone is agreeing that there is a problem and that we have to sit down and work together to solve this problem and I am looking forward to doing that over the next few weeks.

The Chair:

Thank you, Mr. Onorato. Councilman Smith.

Mr. Smith:

Just quickly.

In terms of legality of opening up the budget, the legality of changing what we authorized, I would like to have from an independent source, someone to quantify the ability to change the budget. Presently based on your recommendation, we are passed the five-week period.

The Chair:

Under the Home Rule Charter, just so we are clear, Council by its own authority, five weeks after January 1st has the power unilaterally to change the previous approved budget. That is very clear in the Charter. Also, very clear in Article 5, Section 507, is that past the five-week period, with a resolution of Council and with the consent of the Mayor, the Mayor obviously would have to agree to this, that together the two bodies can reopen the budget for purposes of looking at the issue of other cost cuttings and obviously wanting to have a balanced budget. That takes the agreement of the Mayor to agree to that.

Mr. Smith:

My point being that if we need his permission to open the budget and to make changes to a budget, he does not have to fill the positions or expend the money, but to reduce what we authorize should require the act of this Council, and it is my understanding that a spokesperson on behalf of the Mayor's Office said we had no approval rights for these changes.

The Chair:

Well, I think we need to clarify this.

Mr. Smith:

I am asking --

The Chair:

Well, I asked for a formal legal opinion regarding the issue of a pay cut for white collar workers, which I already obviously stated my position on that, and I would seek obviously a formal written statement. I asked for that yesterday, I do not think we have received it yet. I would like a response from the Solicitor on that issue.

As you know, regardless of what we formulate by way of a budget, it is always the prerogative of the Administration, the Mayor in particular, who is the C.E.O. of all the employees, to deal with whether or not the hire or fire or not fill positions. It is always the case that the Administration is the propeller of spending. We can sit each week and either approve or reject a potential contract, but the person that guides the actual spending is the Mayor and the department directors.

So, really the onerous responsibility legally and administratively is on the executive branch to deal with the actual payroll and the budget.

Where there is not the legal prerogative of the Mayor, that would be the three percent reduction in the white collar workers of Council staff and the Clerk's staff and in the Controller's Office, and I am making it clear right now, as President of Council, I am not instituting that three percent cut for personnel on Council's staff. If the Mayor perceives and does not reconsider, I personally, as an elected official, will take the three percent cut. That is a personal matter. But, as far as the employees who have worked very hard, I do not agree with that policy, I think it is mean spirited, I think it sends a wrong message, I think it is counterproductive and I will not institute that, and I would hope that our City Controller, likewise, will not institute that. It will take a Council member to introduce a formal resolution to have that done, I am not doing that.

Mr. Smith:

Mr. President, my initial request was that we get an outside, independent confirmation as to whether it is legal to reduce a budget that we had to have final approval. That is all I am asking for, is that we not depend upon the Administration's Solicitor, but that we go to our own for a legal interpretation. That is all I am asking for.

The Chair:

Well, again, I think, why don't we first ask for an opinion from the Solicitor and review that and then take the matter up. I think we need to allow the Solicitor and the Administration an opportunity to address the issue.

Mr. Smith:

I will not debate that with you. I will let that course go through.

Here is my next point --

The Chair:

Mr. Smith, with your permission, could we try to focus in on whether or not there is support or not support for the reopening of the budget and then deal with other related motions and/or resolutions, including the Solicitor or other matters.

Mr. Smith:

Fine.

The Chair:

Is your next suggestion a separate motion?

Mr. Smith:

No, sir.

The Chair:

Go ahead.

Mr. Smith:

It is dealing with the budget freeze, and one of the problems is, who is going to suffer, and unfortunately I think I have sat at this table with the MBE-WBE and the monitoring mechanisms, asked for positions to be filled, they are not being filled. In this budget cut minorities will suffer once again. There is another \$425,000.00 contract going out to which .65 percent is going to a female and there is no minority participation, and we are going to have to be careful as we open this budget and begin to slash, that we do not destroy the purpose or have any one group bear a burden of

this major mistake that we have made in reviewing and monitoring our own budget.

I will present these at the table, but my point is, let us be very careful as to where we begin to slash to save money, that we do not destroy the intent of government as being the providers to the general public who pay and support this system.

I will save most of what are my comments for the day we get an opportunity to address this, but I really think that we must be careful as we open up this budget that we do not destroy or end programs that are beneficial to the citizens of the City.

The Chair:

One suggestion that was from the Administration yesterday would require legally action of Council, and I believe that is any notion of an amnesty program, or anything like that, I believe would require a formal resolution of this Council. In fact, in years past, I think Michelle had introduced some notion to that effect.

So, again, I think some of those issues of what is legal or not legal need to be reviewed.

Councilman Hertzberg.

Mr. Hertzberg:

Thank you, Mr. President. I would support this motion to reopen the budget, and I think we need to send that request over to the Mayor and see what he does before we worry about anything else, he may very well say, yes, and then all of these other questions are moot. So, I am in favor of your motion.

Mr. Ricciardi:

Call for a vote.

The Chair:

Any other comments? If not, the motion clearly is under Article 5, Budget and Fiscal matter, Section 507, Communicating a formal request to His Honor, the Mayor, asking for a reopening of the budget, and obviously that is pursuant to specific cost cutting in the budget for purposes of

having a balanced budget, it is in no way to address any notion of increased spending.

Roll call vote on the motion.

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 8 NOES none

WHICH MOTION PREVAILED.

The Chair:

Thank you, colleagues.

Other matters under Motions and Resolutions, Summer Youth Employment. Mr. Cohen.

Mr. Cohen:

Thank you, Mr. President. I would like to bring up that matter. I want to thank my Council colleagues who attended yesterday's post agenda meeting that was sponsored by Councilman Hertzberg and myself. I was, frankly, disappointed, Mr. President, that this summer there is only enough money available for 1,000 jobs as opposed to 1600 jobs, which we had last year, and that is a significant decrease. I had respect the Administration's desire to strategize and develop a long-term plan for summer youth employment but today is May the 3rd, and at the same time we have to have a short term plan for this summer. So, what I would like to suggest is that we pick up the ball and run with it as best as we can. All of us agree, I know, that it is critical that we provide job opportunities this summer for low income, at risk youth, who want to live by the rules and who want to stay out of trouble, and we have got to provide those youth with hope in the short term as well as in the long term. So, if we do not step up this Summer Employment Program, I am very concerned about the effect on public safety in this City this summer.

Do we need a long-term strategy? Absolutely. And should we develop a transition from school to work for year round employment? Absolutely.

But we are going to have thousands of youth who are out of school this summer and unless we have a bigger Summer Employment Program, I am concerned about the public safety here in the City of Pittsburgh. It was very well stated yesterday that we have got a good network of community based organizations out there who can provide the jobs and the supervision for these kids but we need to be able to get more funding. That is what it comes down to.

Felicia Lynch, who is the head of the Allegheny Policy Council on Youth and Work Force Development was here yesterday and she expressed the belief that there is a chance that the foundations in the City will be able to provide us with extra funding. I know the Administration was pessimistic on that, they do not think that the grant makers will, but why don't we pick up on Felicia Lynch's optimism.

And, that meeting takes place on May 12th at 9 a.m., which is all the major foundations in the City of Pittsburgh will meet and will present their answer to the Allegheny Policy Council's application for more funding for summer youth employment.

So, what I would like to suggest, Mr. President, is that we send a communication from this Council to the head of that organization, it is called the Grant Makers of Western Pennsylvania, I believe that is Karen Feinstein, asking her and the other foundations to provide as much funding as they can for this summer's summer employment.

And, also, if I may be authorized, Mr. President, to call her and any other individuals to make the best pitch.

We need a better Summer Employment Program, and it is now late in the game but I think we still have a chance of getting more funding.

The Chair:

Very good. And could you help draft the letter, and I think it could be signed by each and every Council member to add to the significance of the issue that we are dealing with. And, I would also ask that you consider just framing the issue that there are many viable community based programs, as you have stated, that are working year long on

the issue of employment for young people as an educational work experience. So, it is not a question of just having money for an entitlement program for a few summer jobs doing lot clean up, I mean many of the programs now are working year long, building relationship with that young person, tying it in, networking with the schools.

And, I think, if I understood Deputy Mayor Cox's suggestion, if he is accurate, I would suggest that many of these foundations are talking out of both sides of their mouth. On one hand they are saying they don't want to just give money for the sake of an entitlement, they want a meaningful program; on the other hand, we have meaningful programs that have changed over the years and provide an educational work experience with potential college placement, things of this sort. So, I think those programs that they find meaningful, they should consider funding.

Mr. Cohen:

Yes, and we are not just going to them with our hat in our hand, I mean the City is putting up a significant amount of money, too, albeit, most of it federal money but it is coming through the City, and that amounts to about 2.2 million dollars, we have got to be partners in this, and that should include the corporations as well. Let's at least make sure that we make our best pitch for that foundation meeting on May 12th. And I would like to make that in the form of a motion, just so that --

MR. SMITH seconded the motion.

The Chair:

Any other discussion on the matter? All in favor?

WHICH MOTION PREVAILED.

The Chair:

And you will help draft the letter for our signature and communicate directly to the Grant Makers?

Mr. Cohen:

Yes.

The Chair:

Any other comments under Motions and Resolutions?

MR. O'CONNOR moved to approve the Minutes of Tuesday, April 26, 1994.

MR. SMITH seconded the motion.

Which motion prevailed.

And on the motion of MR. ONORATO

Council adjourned.

(BEGINNING - MR. CUSICK'S COMMENTS ON BILL 425, WEDNESDAY,
APRIL 27, 1994)

Mr. O'Connor:

Motion to approve for discussion.

Mr. Ferlo:

Second for discussion.

The Chair:

Councilman O'Connor. Good morning, Mr. Perrett. It is
still morning.

Mr. Perrett:

Dale Perrett
Asst. Director
Department of General Services

Good morning.

Mr. O'Connor:

Do you want to explain what this is all about? You are in
there now presently?

Mr. Perrett:

That is right.

Mr. O'Connor:

And this is a two-year lease?

Mr. Perrett:

That is right.

Mr. O'Connor:

You are still in your lease two more years?

Mr. Perrett:

That is right.

Mr. O'Connor:

With a one-year option?

Mr. Perrett:

Yes.

Mr. O'Connor:

Now, what if -- are your intentions possibly moving here or closer, is that on the drawing board?

Mr. Perrett:

Yes, what this really allows us to do, this is one of two places that we are looking at right now, the Murphy Administration is looking very hard at removing any leased -- major lease facilities that we have into City-owned facilities. The one that is most available at this point in time would be the old Public Safety Building, naturally we would have to do some build-out on that, but that is also depending on the present occupancy being removed, that is the Allegheny County and the jail portion of it.

So, the jail being built, when that is completed, the occupants being moved from the Public Safety Building into that locale and then we would get in, do the renovations and then ultimately move this department out of here.

Mr. O'Connor:

Presently there is nowhere else for CIS to move, into City-owned property right now?

Mr. Perrett:

It would not be financially prudent to move from where we are now, with the high tech equipment, the environment that is for CIS.

Mr. O'Connor:

So, your long-range plan when the new Public Safety Building is built, to use the old Public Safety Building, operate it for computers and et cetera.

How much is the rent there we are paying now?

Mr. Perrett:

We are paying 252,000. What we are doing is, the first year of this new lease, the square footage price remains the same. There will be an increase of 50 cents per square foot in the second year, and we are negotiating right now to have minor improvements performed at that site this year for our term.

Mr. O'Connor:

How much is that a square foot?

Mr. Perrett:

\$13.00. That includes all the operating, maintenance fees, taxes, and things like that.

Mr. O'Connor:

And we already have -- in other words, this isn't just a bare walls office, where you can -- because of the computers, you have special lines, electric lines and all that?

Mr. Perrett:

You have that also. With any type of moving there is a substantial cost to actually moving, setting up phone systems, data lines, voice lines. That is all cost that goes into this. We certainly do not want to move out into some place else and then move two years again. So, we are trying to provide some schedule and we have been in contact with the Engineering and Construction Department to help coordinate that move.

Mr. O'Connor:

How long have they been there?

Mr. Perrett:

I believe since 1987 or 1988.

Mr. O'Connor:

Just before the final vote, I would like to see what we have been paying over the last -- since we have been there, just to see whether the scale has gone up or stayed the same.

Mr. Perrett:

Yes, actually there was a built-in square footage price in the previous lease that was much higher than what we negotiated here. So, we sort of threw that option out and created our own new one here. So, we maintained that rate, but I certainly can provide all that information to you.

Mr. O'Connor:

That is good if you did it, because there are deals out there, especially in Downtown real estate, that may, as you say, may not be profitable.

The Chair:

Councilman Cusick.

Mr. Cusick:

I am sorry, I did not hear, how many square feet are we talking?

Mr. Perrett:

19,400 square feet of office space and 1,000 storage space.

Mr. Cusick:

So, the total cost is 265,000.

I want to let you know, I really believe -- at any time last year did you look for another facility?

Mr. Perrett:

I think the game plan all along has been, with the jail being built, we knew that ultimately the County was going to leave that facility, and that is the -- without actually building a new facility that would be City-owned, that would be the most likely move that we would have in the future, which is coming soon.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Thank you, Mr. Chairman. I think I talked with Director Schmitt about this in January and he is, to my knowledge, preparing for this move, but if you walk around up there, you will see that this is something that is going to require very, very extensive planning, with all the cables, all this sensitive computer equipment, and I think this is a nice move here. We cannot just make an interim somewhere else, that would just be totally ineffective and would be a total disaster for the City in providing the computer services that this department provides. So, a short-term lease like this, I think is a good idea, it seems like a competitive rate, and I am in favor of it. And, correct me if anything I said is wrong?

Mr. Perrett:

All correct.

The Chair:

Councilman Ferlo.

Mr. Ferlo:

I have not voted on this lease for the last five years, I am not going to vote on it again this time. I have not voted for the Water Department lease. I do not support the leases, they are too costly and I do not believe any Administration is sincere about wanting to move and deal with the leases.

What is the square footage of the fire station building that we own that is now empty on the boulevard?

Mr. Perrett:

I do not know the total square footage, but I have been down there recently. That building for this type of purpose and ADA requirements and all that, would have to be essentially gutted.

Mr. Ferlo:

I know that, but we are paying -- we are talking about \$250,000.00 and we are talking about a unionized experienced work force in Engineering and Construction and in General Services that is retrofitted in reshaping buildings.

Mr. Perrett:

I think what we are proposing is sort of the same idea but in a different location.

Mr. Ferlo:

Well, maybe a different location. Mr. Hertzberg mentions a short-term lease, I do not consider a three-year lease a short-term lease. I mean I could see a one-year lease and you are doing something right now to relocate.

Mr. Perrett:

Part of the reason why --

Mr. Ferlo:

What is going to happen with the Water Department?

Mr. Perrett:

That one will be coming before this body shortly, and that would be the first phase.

Our wish is to have that moved as the first project or first phase of the move-out, and that would be more of a year to a year and a half lease.

Mr. Ferlo:

Why does the Water Department have to be Downtown necessarily? Why not support some lower office rent in one of the neighborhoods or even at our Water Treatment Plant facilities?

Mr. Perrett:

Well, I think part of that I think Director Hanna could better address it is that there are services to the public billing -- the Billing Office and making that available to the public in an accessible area, meaning a locale for buses and --

Mr. Ferlo:

Well, that building -- Water Department is definitely not accessible to the public.

If you want to make it accessible, we have asked for three years for a counter to be installed in the lobby down here to deal with bills from the Water Department and all that, instead of going over to the other building. Most people don't even know where the heck it is.

The Chair:

All in favor of the bill?

Mr. Ferlo:

No.

Mr. Cusick:

No.

The Chair:

Roll Call vote, please.

ROLL CALL

AYES:

Mr. Cohen
Mr. Hertzberg
Mr. O'Connor
Mr. Smith
Mr. Onorato, (Chm.)

NOES:

Mr. Cusick
Mr. Ferlo

Ayes 5

Noes 2

The Chair:

Roll passes.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

May 9, 1994

No. 19

Municipal Record

ONE-HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
KURT J. SALAC.....Asst. City Clerk

Pittsburgh, PA
Monday, May 9, 1994

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

The Chair:

City Council's Legislative Meeting will now come to order. Will you please all rise for the Pledge of Allegiance and remain standing for a moment of silent prayer, so that we may have peace throughout the world.

We are very pleased that we have a young lady here today, Karm Blakey; she is a 5th Grader at Linden School. I think her mom is here also. Good afternoon, welcome to Council Chambers, and if you would be so kind as to lead us in the Pledge of Allegiance. Karm.

Karm Blakey:

I pledge allegiance to the flag of the United States of America and to the Republic for which it

stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you. Thank you, Karm.

Good afternoon, everyone, I see many honored guests in the audience today, and at this time I would like to call on Councilman Cohen.

PRESENTATIONS

Mr. Cohen:

Thank you, Mr. President. Good afternoon everyone. Would the folks from the Pittsburgh AIDS Task Force come up, please.

Members of Council and members of the audience, I am very proud and honored to read the following resolution.

MR. COHEN PRESENTS

No. 530 WHEREAS, Acquired Immune Deficiency Syndrome (AIDS) is a viral disease that cripples the immune system, leaving the person susceptible to illness the body can normally resist; and

WHEREAS, health officials have declared AIDS as the single most serious threat to national health in this century and estimate that over one million Americans now carry the virus that can lead to AIDS; and

WHEREAS, the Pittsburgh AIDS Task Force, founded in 1985, has become a vitally important community-based agency providing social, practical and emotional support to persons living with AIDS and HIV infection in the City of Pittsburgh through a variety of volunteer supported programs; and

WHEREAS, for the eighth consecutive year, the Pittsburgh Public Theater will present a benefit performance, this year selecting "Two Trains Running," on behalf of Pittsburgh AIDS Task Force on May 11, 1994.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends Co-Chairpersons Linda Bucci, Tom Bucci, Roy Argall and Tim Condon; Emeritus Chairpersons Don and Leslie Brockett; Honorary Chairpersons Patty McGarey-Whetzel and Will Whetzel; PPT Artistic Director Eddie Gilbert, PATF Board President Judy Compher and Executive Director Michael Neal and the staff and volunteers of Pittsburgh AIDS Task Force for seeking to inform the public about the AIDS crisis through a program of education, prevention and compassion; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares the week of May 8th, 1994, to be AIDS Awareness Week in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much, members of Council. I think that all of us are familiar with the important work that the Pittsburgh AIDS Task Force does in providing support for persons with AIDS. This Council has helped the Pittsburgh AIDS Task Force with funding in the past and I hope that we continue to do so even more than we have in the past in the future.

As this proclamation states, their biggest annual fundraiser -- I think it is your biggest, isn't it? It will be -- is coming up, and that is on May 11th, where they are presenting August Wilson's latest play called "Two Trains Running," and that is at the Pittsburgh Public Theatre. It should be a terrific performance.

And, I am very, very proud that this morning we have with us four people, to my left, Mike Neal, who is the Executive Director; Marty Sheets, who is the Director of Development; Dupuy

Bateman, who, I believe, is the Treasurer, is that right, on the board, and also Judy Compher, who is the board President. So, I want to take this opportunity to congratulate you for all the work that you have done through the Pittsburgh AIDS Task Force and wish you the best of luck in your benefit coming up.

Mike Neal, can you come here to accept this, please. Congratulations.

Mr. Neal:

Very briefly, I just want to thank City Council for year in and year out making this week AIDS Awareness Week. As we have approached over 1,000 cases in Allegheny County, I think it is extremely important for us to heighten awareness in our communities so we can reduce the incidence of HIV in the future. Thank you very much.

Mr. Cohen:

Thank you.

The Chair:

Thank you, Mike.

Mr. Cohen:

I will give you a proper introduction. Now, Marty Sheets, Director of Development.

Ms. Sheets:

As the Director of the Development for the Pittsburgh AIDS Task Force, I would like to thank all of the Council people, who have been so generous in the past year of opening their doors and letting Michael and I come in and talk about the agency and solicit funding. This year we are very proud of the support that Council has given through the Block Grant Program and we want to thank each and every one of you.

I also would like to give a special thanks to Dan Cohen because he appeared at a rally for us last week, when we only had 267 tickets sold and there is 433 sold today. So, I do not know what he was doing out on the streets for us but it was great. Thank you so much.

Mr. Cohen:

Thank you, Marty.

As much as I would like to take credit for it, I had nothing to do with it, and I just wish you a terrific performance coming up. And, also, just continue doing the good work that you are doing. Congratulations all of you. Let's get a picture.

The Chair:

Thank you all.

At this time I am pleased to call on Councilman Hertzberg.

Mr. Hertzberg:

I think everybody is used to getting their mail every day and sometimes they take that for granted, but our letter carriers are doing something a little bit different and a little bit above and beyond the call of duty. On Saturday, May the 14th, they will be conducting a food drive and we have prepared this resolution in honor of that food drive.

And, I have here with me James Gavigan, who is the Executive Vice President of Branch 84 of the National Association of Letter Carriers. I also have Acting Postmaster, Rich Rome, who is here with us today. And, the proclamation, which is sponsored by all City Council members, reads:

MR. HERTZBERG PRESENTS

No. 531 WHEREAS, on Saturday, May 14, 1994, the National Association of Letter Carriers, in conjunction with the U.S. Postal Service, will hold their annual Food Drive; and,

WHEREAS, what began in 1991 as a pilot program in ten cities has grown into the largest one-day food collection in our nation's history; and,

WHEREAS, postal customers will be asked to leave non-perishable food items by their mail boxes to be collected by the Letter Carrier or a volunteer; and,

WHEREAS, all food items collected will be donated to local food banks; and,

WHEREAS, James P. Gavigan, Executive Vice President of Branch 84 of the National Association of Letter Carriers, Pittsburgh, PA, is coordinating this year's food drive; and,

WHEREAS, Pittsburgh Branch 84 of the National Association of Letter Carriers is presently the twelfth largest branch, with over 3500 members; and,

WHEREAS, active as well as retired members, along with many of their family members, will give of themselves to help their neighbors.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the National Association of Letter Carriers for their tremendous efforts in supplying the local Food Banks; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Saturday, May 14, 1994 to be LETTER CARRIERS FOOD DRIVE DAY in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. CUSICK seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Thank you, Mr. President. Mr. Gavigan, would you speak, please.

Mr. Gavigan:

Thank you very much, Councilman, and certainly thank all the rest of the Council members for this opportunity. As Councilman Hertzberg said, we are going to, this particular day, deliver more than the mail, we are going to try to deliver the food from our customers to the needy. We think it is a worthwhile cause, and in the past we have supported the Boy Scout For Food Drive, and now we are going to ask you just to help to support the Letter Carrier Food Drive.

And, I want to also thank the Acting Postmaster, Rich Rome, for his cooperation.

This is going to be a monumental task and the logistics are going to be quite difficult. This is Pittsburgh's first time for a bite at the apple, if I may say that. We are going to join the rest of the nation and we are going to try to make this the most successful food drive in the history of the United States, and I certainly thank you for the opportunity to speak.

The Chair:

Thank you. Would our Acting Postmaster like to say a few words?

MR. Rome:

On behalf of the 3500 letter carriers, the 300 managers in the City of Pittsburgh, to repeat some of Jim's words, this is going to be a monumental task logistically, but we do a good job of delivering the mail every day and I know pulling together we will do a fine job of getting the food to the food banks. Thank you.

The Chair:

Very good. Thank you. Thank you all. Good luck with the event.

At this time I am very pleased to call upon Councilman Bob O'Connor and Councilman Hertzberg. I see we have a few proclamations here, I am not sure who is sponsoring what.

Mr. O'Connor:

Two will be read into the record.

The Chair:

We have two to be read into the record and Councilman Hertzberg and Mr. O'Connor are both sponsoring them.

Mr. O'Connor:

Please, everyone from Be A Sport please come up. Manny, Roberta.

As you know, this will be our third year kicking this program off, and I want to especially thank Councilman Hertzberg, for being in charge of Parks and Recreation, helping us continue it. I know, Council, we disagree on a lot of things but I

know things we agree a hundred percent on is our youth and the programs that we are all working for. I know Chris Smith works active, Councilman Cohen, and I know Councilman Cusick is doing some nice things on youth, that we really got some new ideas, and President Ferlo has been very active in the Highland Park area. So, we have a long way to go but we certainly appreciate everybody's support for this program.

I will read the proclamation.

MR. O'CONNOR PRESENTS

No. 532 WHEREAS, every child should be afforded an opportunity to participate in recreational activities, for their physical health and happiness, and should not be denied this right due to economic hardship; and,

WHEREAS, the people of Pittsburgh have a long standing and generous tradition of giving, especially to the youth of Allegheny County; and,

WHEREAS, the third annual "Be A Sport" Days will be held, from May 11 through May 15, 1994, to collect new and used sporting equipment for children who could not otherwise afford it and to supplement the Department of Parks and Recreation's ability to provide enjoyable recreational activities to City residents; and,

WHEREAS, "Be A Sport" Days has been made possible due only to the inspiration, dedication and hard work of Manny Gold, Roberta Lando, Franco Harris, Faith Gallo, Carl Mancuso, Arch Herron, Bob Stumpp, Mike Radley, Don Dorsey, Pittsburgh's Firefighters, and the men and women of the Departments of Parks & Recreation and General Services, and many others too numerous to mention.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh wholeheartedly supports this unique program and encourages the residents of the City to participate in this worthwhile project by donating their new and used recreational equipment.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims May 11 through May 15, 1994, "BE A SPORT DAYS" in the City of Pittsburgh.

MR. O'CONNOR moved to adopt the resolution.

MR. SMITH seconded the motion.

Which motion prevailed.

Mr. O'Connor:

And, it is sponsored by all Council members, and I just -- I did a quick five-minute interview on the Jack Wheeler Show Friday and 45 minutes later a fellow called in and offered 50 bikes, just to pick up and donate. And that is how easy by word of mouth how it gets out. I want to thank -- I know we have gotten -- a lot of the neighborhood newspapers have given us a lot of support, and I really would, again, want to congratulate everybody for all their help.

Councilman Hertzberg, I think, why don't you come up first. I know we are going to do some new things with roller blading, maybe, in the City, maybe you could tell them a little bit about that, and I just thought it is a unique idea since kids outgrow them every -- I am sure the way your kid is growing, probably every six months. So, we could be using that more in the City. Alan.

Mr. Hertzberg:

Since you mention that, Bob, we did have a meeting concerning the possibility of some roller hockey at Schenley Rink this summer and it is a possibility, it is not a definite, but we are looking into it. So that if there are any people out there that have some used roller blades, we can hopefully find some kids that can make use of them at the Schenley Rink this summer.

I would also like to thank, for their assistance, TCI, they helped us out in trying to get the word out through all the television media. I also would like to thank Martin Media, who put up a few free billboards. I did see one on Baum Boulevard. And -- who else are we forgetting here? I know there is somebody here. Thrift Drug. Yes, I would like to thank Thrift Drug.

The Chair:

The Children's Museum.

Mr. Hertzberg:

The Children's Museum. Thanks, Jim.

The Children's Museum, where all the different items can be turned in, I would like to thank them.

And, we would like to hear from some of the people that are really doing all the work. We are just doing the talking here in Council, let's hear from some member, at least.

The Chair:

You better let Mr. Gold speak first.

Mr. Gold:

You know this is just a wonderful, wonderful thing that happened. This takes so many abled bodied people to really put the thing over; of course, you know, we have a quarterback and we have linemen, we have ends, but Bob is our quarterback, he is the one who contacts all the departments and we try to get as many, many sporting equipments as possible, and anyone of you who -- I do not care whether it is one item or two items, if you call Bob, I am sure that there is someone who will be glad to pick them up. Thank you for all your help.

The Chair:

We have Director Gallo, or Chief Dickinson here, and others from the Parks Department and the Marathon.

Ms. Gallo:

I just want to say thank you to Council for sponsoring this program; it is wonderful, it is one where everybody wins, the Parks Department wins, because we get new equipment, the children win, because they get equipment to play the sports, and, therefore, the City wins. Thank you.

The Chair:

Thank you, Director.

Mr. O'Connor:

This is a quick afternoon, so we can take some time.

Roberta Lando, I have been knowing her since she was 12, come on up and tell us about some of

this. She has done all the writing for us and the P.R. Tell them where to pick it up at.

Ms. Lando:

Yes, I just want to remind everyone, if you have things to donate between May 11th and 15th, they go to any of the City of Pittsburgh Fire Stations or the Pittsburgh Children's Festival on the North Side, which takes place on those dates also, and I think they are there all day and all evening, right? Never close, so someone is always there to take your donations. Thanks.

The Chair:

Sometimes they close, right; sometimes not?

Mr. O'Connor:

Chief, come on up and say a few words.

Chief Dickinson:

Well, I have got to be able to defend myself.

If by any chance someone would go by a fire station and they are not there, they are not closed, they are out busy doing what they are supposed to be doing.

But, I would like to thank the firefighters and officers for their participation, because they are the ones that get the collection at the stations, and we couldn't be happier to join in an effort as worthy as this. Thank you very much.

The Chair:

Thank you, Chief.

Unidentified
Speaker:

I would like to thank the Council members and Mr. O'Connor and Councilman Hertzberg. It is a wonderful program. You have to see what happens to some of this equipment, like we had bats last year from the Pirates and they went to the Rookie Ball kids. We had golf clubs that were used. We went to over 30 recreation areas and gave golf clinics last summer. The golf clubs were used for the golf clinics. The tennis racquets are used for razor racquet, where we go around

teaching inner City kids tennis. The bikes we raffled off, and it was a free raffle, where you have group called the Youth Connection, with your socially disadvantaged children that come together, and we raffle the bikes off for them at Christmastime. So, everything goes to a good cause.

The Chair:

Very good.

Unidentified
Speaker:

I would like to thank everybody for their efforts with this program, Council members and all the staff who work on Be A Sport, and Recycle a Cycle, with the help of Thrift Drugs, has been very successful for us, it brings a lot of bikes to kids who need them and who otherwise would not have them without this program. So, thank you one and all.

The Chair:

Thank you all, once again, for a great effort, third year in a row.

I would ask the City Clerk to please read into the record a couple of proclamations by Councilman O'Connor.

MR. O'CONNOR PRESENTS

No. 533 WHEREAS, the Pennsylvania Sports Hall of Fame is a non-profit organization founded in 1963 to recognize the athletes, managers, promoters, and others who have contributed to the world of sports in Pennsylvania; and,

WHEREAS, the Pennsylvania Sports Hall of Fame will hold its 23rd Annual Inductee Banquet to honor and welcome the newest group of outstanding individuals to the Sports Hall of Fame; and,

WHEREAS, the following individuals have brought lasting recognition to the State of Pennsylvania through their achievements and will be inducted into the Western Chapter of the

Pennsylvania Sports Hall of Fame, on Saturday,
May 7, 1994:

Earl Bruce - Coach
Dom Canterna - Basketball
Walter Corey - Football Coach
Leo Elter - Football
Serafino "Foge" Fazio - Coach
Joe Fusco - Football Coach
Joe Gasparella - Football
Pat Mullen - Baseball
Buddy O'Connor - Race Car Driver
John Pearson - All Around Athlete
Sam Schipani - Softball
Gene Steratore - Official
Kent Tekulve - Baseball
Harry Theofilidis - Football
Ed Vargo - Baseball Umpire

WHEREAS, these individuals represent the finest of Pennsylvania's men and women in sports, and will have the distinction of having their names inscribed on the Roll of Honor in the Sports Hall of Fame.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend this year's inductees for their accomplishments, and does hereby declare May 7, 1994 to be "Pennsylvania Sports Hall of Fame" in the City of Pittsburgh.

MR. O'CONNOR moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. O'CONNOR PRESENTS

No. 534 WHEREAS, Hillel Academy of Pittsburgh is celebrating its 47th year of providing outstanding Jewish and secular education to thousands of students, opening its doors to many New Americans, and allowing them to seek out a Jewish education for the first time in their lives; and,

WHEREAS, Hillel Academy recognizes the efforts of Pittsburgh Mayor Tom Murphy in furthering the Renaissance Campaign, which will provide for the future growth of the school and ensure its continued success; and,

WHEREAS, Mr. Michael Tomko, science teacher at Hillel Academy for the past 35 years will be honored for touching thousands of students' lives, inspiring in them a love for the study of science, and influencing many of them to pursue careers in related fields; and,

WHEREAS, Hillel Academy benefactor Mr. Walter Vogel will be recognized for his generosity, since it is through the efforts of patrons like Mr. Vogel that the school has flourished; and,

WHEREAS, Hillel Academy could not be a success without the efforts of its talented administration, Principal Rabbi Moshe Kletenik and General Studies Coordinator Marianne McGuire, who approach their jobs with professionalism, and treat each student with respect and affection.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Hillel Academy's successful efforts over more than four decades at providing generations of students with superior education.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, May 11, to be "Hillel Academy Day" in the City of Pittsburgh.

MR. O'CONNOR moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

At this time I will call on Councilman Smith, who, I believe, has some honorees in the audience.

Mr. Smith:

All of you come on up.

The Chair:

I see our distinguished members of the Carnegie here today.

Mr. Smith:

This is Andrew Ungerman from the Carnegie, and what we are here to do is to discuss another cultural change to the City -- addition, rather -- to the City of Pittsburgh.

MR. SMITH PRESENTS

No. 535 WHEREAS, The Andy Warhol Museum, an institution dedicated to one of the twentieth century's most influential artists, will open to the public on Monday, May 16th following a weekend of inaugural events; and

WHEREAS, this is a major addition to the Sixth Council District's cultural community, for in the range and depth of its collection, The Andy Warhol Museum will be the most comprehensive single-artist museum in the world, a scale made possible by contributions of art and archival material to Carnegie Institute from The Andy Warhol Foundation for the Visual Arts, Inc. and the Dia Center for the Arts. This distinction has already garnered international attention for the project; and

WHEREAS, The museum will be housed in the renovated Frick and Lindsay Building on Pittsburgh's North Side. In a way, it is a homecoming as Andy Warhol was born and raised in Pittsburgh, was instructed at The Carnegie's art school and received formal art training at Carnegie Institute of Technology (now Carnegie Mellon University); and

WHEREAS, through exhibition galleries, film theater, and Archives Study Center and an Education Resource Center, The Andy Warhol Museum will provide visitors from Pittsburgh and around the globe with multiple opportunities to experience Warhol's life and art.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby declare Sunday, May 15, 1994 as Andy Warhol Sunday in the City of Pittsburgh.

MR. SMITH moved to adopt the resolution.

MR. CUSICK seconded the motion.

Which motion prevailed.

Mr. Smith:

Say something, please.

Mr. Ungerman:

On behalf of the Carnegie Institute's Board of Trustees, its management, staff, I want to thank the City of Pittsburgh for this recognition, but I also would like to mention that this City has been so supportive to our libraries and our museums over the years, especially in recent years, and we have gleaned special support from this Council and we are grateful for that.

We would like to make the observation that our museums and our libraries act as anchors to stabilize communities. We think we serve the community, the neighborhood and the region, and we would like to think at times we spark other economic development with some of our projects, and I think the recent developments on the near North Shore would indicate, with the Warhol coming and the SMS Building, and perhaps some other things, that this investment is not only a cultural investment.

Again, I want to thank City Council, Council President Ferlo, for your support for my complete tenure at the Carnegie. Thank you.

The Chair:

Thank you. We think the Carnegie is just as important as the Pirates and we want you to grow and prosper.

Mr. Smith:

Nobody from Carnegie makes those salaries.

The Chair:

I want to say, hello, to Mr. Jim Bender out there in the audience, also.

We also have one to be read into the record.

MR. SMITH PRESENTS

No. 536 WHEREAS, on Saturday, May 7, 1994, the Women's Auxiliary of Greater Faith Tabernacle Church of God in Christ will conduct

their Annual Community Prayer Luncheon at the Southern Platter Convention Center; and,

WHEREAS, this annual event was founded by the late Bishop Duane A. Darkins, former Councilman of the 9th District of the City of Pittsburgh; and,

WHEREAS, proceeds from this event will provide scholarships for high school seniors and will also provide funds for the Outreach Radio Ministry & Day Camp Activities; and,

WHEREAS, this year's theme is "A Virtuous Woman: Her Candle Will Forever Shine," which illustrates the participants' commitment to bring the light of love and empowerment to church and community through fellowship, prayer, and action; and,

WHEREAS, the luncheon will feature a spring fashion show and Keynote Speaker Mrs. Constance Parker, Executive Convener of the Black Women's Political Crusade.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby acknowledges the efforts of the Greater Faith Tabernacle Church of God in Christ in continuing the work of the late Bishop Duane A. Darkins; and,

BE IT FURTHER RESOLVED, that the Council extends its best wishes to the Committee and Members for success as they conduct their annual Community Prayer Luncheon on May 7, 1994.

MR. SMITH moved to adopt the resolution.

MR. CUSICK seconded the motion.

Which motion prevailed.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President. At this time I am privileged to nominate our colleague, Dan Cohen, for the position of President Pro Tem.

MR. CUSICK seconded the motion.

The Chair:

All in favor? The motion carries.

WHICH MOTION PREVAILS.

Mr. Ricciardi:

Congratulations.

Mr. Cohen:

Thank you, Mr. President.

The Chair:

Councilman Cohen, along with Mr. Ricciardi, are the senior members, besides myself.

And, with that in mind, also, I would like to ask Councilman Ricciardi to Chair the Public Works Committee until some new Council members are seated.

Mr. Ricciardi:

Thank you, Mr. President.

The Chair:

Thank you very much. I will be away next week and Mr. Cohen will get to chair his first Legislative Session.

Mr. Cohen:

How long will you be away for, Mr. President?

The Chair:

Fleeting moments, only fleeting moments.

At this time we will move directly into Presentation of Papers.

MR. CUSICK PRESENTED

No. 537 Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and providing for the Purchase of Materials and Equipment in connection with Lighting and Electrical Repairs at Various Locations; and providing for the payment of the cost thereof. (This Resolution will

provide authorization for on-going repairs and replacements as needed, including but not limited to Blair, Magee and Fineview, funds for these projects (\$70,000.00) are available in Code Account EC94-145, 3-13-74-1480-94, Index Code #871681).

Which was read and referred to the Committee on Engineering and Construction.

MR. CUSICK moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. HERTZBERG PRESENTED

No. 538 Resolution authorizing the issuance of a warrant in favor of Frank J. Zamboni & Co., Inc., in the amount of One Thousand Three Hundred Twenty Four Dollars and Six Cents (\$1,324.06), in payment for the purchase of parts for repairing equipment provided to the City of Pittsburgh, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 539 Resolution authorizing the issuance of a warrant in favor of the Sheraton Hotel, Station Square in an amount not to exceed Eight Thousand Six Hundred Thirty Seven Dollars and Sixty Five Cents (\$8,637.65) in payment for the Citiparks Senior Center Program Volunteer Recognition Gala and providing for payment thereof.

Also,

No. 540 Resolution authorizing the issuance of a warrant in favor of the Hollowood Music Sound in the amount of Three Thousand Seven Hundred Forty Six (\$3,746.00) Dollars, in payment for the purchase of sound equipment and rental services provided to the City of Pittsburgh; furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which were severally read and referred to the Committee on Finance.

MR. ONORATO PRESENTED

No. 541 Resolution providing for an Agreement or Agreements with Tod Temporary Agency to supply the Department of Law with temporary personnel with legal experience to replace departing clerical staff as needed. The total cost of this temporary service is not expected to exceed \$20,000.00 and can be paid from Code Account 1075 B5-1, Miscellaneous Services.

Also,

No. 542 Resolution providing for an Agreement or Agreements with Consultant or Consultants for professional services in connection with evaluation of applicants as part of the Civil Service Commission's psychological assessment program for entry level Police Officers, and providing for the payments thereof. The total amount payable under this Resolution will not exceed \$7,300.00, chargeable to and payable from Code Account 1100, (110007), Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 543 Resolution providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for uniformed and other employees and candidates for employment and promotion, and providing for the payments thereof. The total amount payable under this Resolution will not exceed \$40,800.00, chargeable to and payable from Code Account 1100 (110007), Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 544 Resolution providing for an Agreement or Agreements with a laboratory or laboratories for professional services in connection with the administration and evaluation of laboratory testing for City of Pittsburgh employees, candidates for employment and

promotion and providing for payment of the cost thereof. The total amount payable under this Resolution will not exceed \$14,900.00, chargeable to and payable from Code Account 1100 (110007), Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 545 Resolution providing for the acceptance of certain property by the City of Pittsburgh from the First Emmanuel Tabernacle Baptist Church of Pittsburgh and conveyance of certain property by the City of Pittsburgh to the First Emmanuel Tabernacle Baptist Church of Pittsburgh in the 5th Ward of the City of Pittsburgh for a nominal amount for the Martin Luther King Reading Room Project Development.

Also,

No. 546 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 547 Resolution providing for conveyance by the City of Pittsburgh of certain property under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 548 Resolution providing for the filing of petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

MR. SMITH PRESENTED

No. 549 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing from "M4" Heavy Industrial District to "A1" Commercial-Residential

Associated District all that certain property bounded by Bingham Street, South 10th Street, a line located 75 feet north of and parallel to the Bingham Street right-of-way and South 9th Street, 17th Ward.

Also,

No. 550 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 5, by changing from "C1" Neighborhood Retail District to "RP" Residential Planned Unit Development District all that certain property bounded by Brighton Road, Goe Avenue, Parviss Street, Lot 134 Block 114-S in the Allegheny County Lot and Block System, Lot 130 Block 114-S in the aforesaid System, and Lot 124 Block 114-S in the aforesaid System, 27th Ward.

Also,

No. 551 Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to the Authority of an amount not to exceed \$75,000.00 for the Downtown Top Shops Program and providing for the payment of the cost thereof.

Also,

No. 552 Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to the Authority of an amount not to exceed \$40,000.00 for the Non-CDBG Neighborhood Business District Revitalization Program and providing for the payment of the cost thereof.

Also,

No. 553 Resolution approving a conditional use exception under Section 993.01(a)(33) of the Pittsburgh Code, Title, Zoning, Article V, Chapter 993, to the National Council of Senior Citizens/USA Housing Development Corporation for authorization to construct a four-story structure with 42 units of housing for the elderly and 1 unit for a resident manager at 3710 Brighton Road with parking to accommodate 13 automobiles on property zoned "RP" Residential Planned Unit Development District, 27th Ward.

Which were severally read and referred to the Committee on Planning, Housing & Development.

THE CHAIR PRESENTED

No. 554 Communication from Tom Flaherty, City Controller, submitting the Performance Audit of Real Estate and Three Taxing Bodies, Department of Finance, dated May 1994.

Which was read.

Also,

No. 555 Communication from Paul Hennigan, Director, Department of Finance, submitting deposits and market value of securities pledged as collateral by City Depositories as of March 31, 1994.

Which was read.

Also,

No. 556 Communication from Tom Murphy, Mayor, City of Pittsburgh, informing City Council of the appointment of Gerald J. Vortex and Joyce A. Baskins as members of the Regional Assets District Board.

Which was read.

The Chair:

Motion to receive and file.

Mr. Cohen:

So moved.

MR. SMITH seconded the motion.

The Chair:

It has been moved and seconded. All in favor?

WHICH MOTION PREVAILED.

The Chair:

Matters under Unfinished Business.

UNFINISHED BUSINESS

The Chair:

The Chair would like to present an issue to this Council for your consideration involving the vacancy, albeit, the untimely and tragic death of our colleague, Councilman Bishop Duane Adrian Darkins.

It has been a couple weeks now, and I know it is still a delicate matter, but I think we need to move on and begin to talk about the filling of this vacancy.

I would like to ask this Council to consider several matters, and I am bringing this up under Old Business, or Unfinished Business. First of all, is the issue of the filling of the vacancy itself by way of a Special Election. I would ask that this Council consider three things. One, that we instruct the City Clerk, under the powers assigned to her, the legal action to file formally a Writ of Certification Declaring the Seat Vacant and communicating to the Board of Elections. Two, I would ask that this Council consider a resolution asking for a formal legal opinion from our City Solicitor regarding the manner in which and the timeliness of which a Special Election will be held. And, three, depending on that legal opinion, which I believe I have some sense of the law based on my reading of the matter, I am asking that this Council adopt a policy matter regarding the actual timeliness, or the timing of the Special Election itself. What we have is a little bit of an unusual situation because of the timing, the unfortunate timing of the passing of Councilman Darkins in terms of the time frame.

We have a Home Rule Charter, which, as you may be aware of, under Section 309 under Vacancy, and I will read it quickly: A vacancy on Council shall be filled at the next available primary, general or municipal election. The person elected shall take office as soon as possible after certification of election and shall serve the unexpired portion of the vacated term.

If we go by past practices, the presumption would be that the Special Election would not be until the November Fall General Election, however, the State Law, which, depending on one's view, supersedes the Home Rule Charter, and I will read Section 2778.1: State Law Special Elections for the members of Council's Legislative bodies, cities, boroughs, towns and townships, now or

hereafter in conducting a Special Election is required to fill any vacancy in office of the member of Council in Legislative body in any city, borough, town or township, such election shall be held on day fixed on other such day as otherwise provided by such law, which day shall be within 60 days after the issuance of the writ or after the happening of the vacancy, as the case maybe, notwithstanding any provision of such law acquiring Special Election to be held on earlier date.

In a nutshell, State Law is explicit and emphatic that this Council does have the ability to declare formally the seat vacant and to call for a Special Election within the 60-day time frame.

There was a Court decision by the Pennsylvania Supreme Court in 1978, you may remember when Dick Caliguiri was a Council member, an individual, actually a woman from Highland Park, named Joan Shalimar, who, I believe at the time probably worked for Frank Lucchino, but, nonetheless, there was a court action, and in that decision Justice Flaherty ruled that the State Law, which I just quoted here is the permissive action, not necessarily mandatory. In other words, we sort of have a double-edged sword here. I believe the gist of that ruling by the Pennsylvania Supreme Court, Justice Flaherty, the reading of the Home Rule Charter, would suggest the following: that if this Council wants to move ahead on the issue of a Special Election, I believe it is within our power to do so.

So, I am asking, as part of the third resolution, not only that we declare the seat vacant formally, issuing the Writ of Certification; two, that we ask for a formal legal opinion, but, three, I am asking this Council to consider as a matter of fairness and as a matter of public policy that we move expeditiously to fill this vacancy.

We have in the latter part of the year, as this Council and colleagues are aware, a lot of activity regarding the budget situation of this City, as well as the budget affecting the residents of Council District 9; we have a Council that is not racially representative at this time of the population of the voters of this City. I think in terms of the tremendous problems that are faced by all of our districts, that I think we would have to admit, especially as it relates to public safety issues, that Council District 9 is -- particularly be set with

public safety concerns and need for constituent services.

Obviously this Council has pledged to keep staff working, they are doing a tremendous job, they are hard at work, but ultimately I believe that the voters and the residents and constituents of Council District 9 would be more adequately served by having an officially elected public policy decision maker, and that is, a member of Council from that district.

Accordingly, I would ask that this Council consider the following resolution: One, that we ask for the formal legal opinion; two, that at that point we ask for a formal declaration from the City Clerk on this issue of a writ declaring the seat vacant, and, three, I would ask that each colleague consider this matter, and also I am inviting the public and the residents of Council District 9 to speak up on this issue.

There is a financial matter involved, it may cost 20 to \$25,000.00, as required by the Board of Elections for a Special Election, but I think in terms of the overall expenditures of the office, which is funds that we have already allocated, it would basically be a revenue neutral issue. I do not think the issue should be the 20 or \$25,000.00 that it would cost for the Special Election. I think the main issue here is the issue of formal, legal and elected representation, and, accordingly, I would ask that this Council give consideration to this matter.

Is there discussion or interest on the resolution? Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President. I thank you for bringing this subject matter before us today. Obviously I support the first two resolutions. Concerning the third, I will, as you stated, consider the matter. At this point I do not have a position on it. The way you did read it, I believe you just stated that you are asking us to consider having a Special Election. We have seen in the past in another highly publicized case that State Law can override our City Charter, if our colleagues remember the last case that was before the courts. So, obviously I would support all three.

I think you bring up a very important matter, that each and every district has certain concerns and certain issues that need to be addressed, and that Councilmanic district especially has a grave concern that needs to be continually addressed and to have someone who is really looking over it, and that is the issue of public safety and the safety of the residents of Councilmanic District 9.

I would support all resolutions, including the third that says for us to consider having the election before November but it really does not explicitly state that this Council at this particular time supports that.

The Chair:

Yes, I want to clarify, I am not asking Council, given the general outline of what I presented, to formally vote on that issue. I am personally offering my opinion, and that is, I think it is democratic and fair that election be held as soon as possible, within the constraints of the law. That is my own view. I am asking respectfully, though, that we consider all three issues and that possibly at the next meeting or the future two weeks from now, we would have a fuller discussion on this issue. But I think that really the ball, I think, is in Council's court.

Councilman Cohen. I think Mr. O'Connor had his hand up.

Mr. Cohen:

Thank you, Mr. President, and thank you for bringing this subject up, it is something that I think we have all been thinking about and struggling with.

I guess I would like to just ask you a couple of questions if I could first, so I can completely understand it, and then give you my thoughts on it.

As you know, what has happened in the past for Special Elections is that the committee of each party would select a nominee to place on the ballot for each party. Would your proposal include that selection of the nominee and then to have the election within the -- whatever, the 60 or the 90-day period?

The Chair:

No, it would be a Special Election. The fact that there would be an endorsement process would be the same whether the election is July 10th or in the November General. It still enables people to write in as an Independent, but, as we know, obviously, the Democratic endorsement --

Mr. Cohen:

But the endorsement process would be the same.

The Chair:

-- would be favored.

Mr. Cohen:

The other is, if we had it, say, 60 days from a couple of weeks from now --

The Chair:

It would be from the time that we formally declare by writ the seat vacant.

Mr. Cohen:

The certification. We would fall somewhere around the end of July, early August?

The Chair:

July 10th to July 15th, maybe.

Mr. Cohen:

Is that what you would be thinking of in terms of --

The Chair:

I am guessing, yes.

Mr. Cohen:

There may be issues to think about in terms of having an election in the middle of the summer. I do not know if that has been done before, but at least it is something to think about.

The last issue that comes to my mind is, I do think that we should formulate, and I think you are moving in that direction, a general policy for every time a vacancy occurs. Tragically, we have had two vacancies occur in the last year and a half, and I do agree that we should try to set forth a precedent that will reconcile both the Home Rule Charter and the State Law for all future cases.

Two, as far as moving ahead with the election, I will definitely consider it. I think you do make a good point that this Council district should not go unrepresented for longer than it has to, and I think that is the point you are bringing up. On the other hand, I do think that candidates need to have an opportunity to get their message across, so that people can make an informed decision.

So, both of those I think need to be taken into account, and I will certainly consider it.

Would you want this to come up for a vote a week from today?

The Chair:

I would say, let's consider it over the next couple of weeks.

Also, obviously, your concerns are well taken, and I would like to hear from the residents and the constituents of District 9 as to what their feeling is, that is why I am bringing it up today for consideration, but I would hope that we would not actually act on it for a couple weeks, pending a review by the Law Department and hearing from the community and those concerned, as well as potential candidates, I think we need to hear from them.

Councilman O'Connor.

Mr. O'Connor:

Mr. President, I think you are absolutely right, as far as, we should be hearing from the constituents and people in the City. But, I think we talked about this before, that possibly maybe you would want to set up some commission or set some really standard guidelines for the future how we were going to do this.

And, my other question -- especially with -- there's a lot of things in that Home Rule Charter

that are very old and outdated, especially since it does not -- since the By-District Council members changed everything and I do not think that is adapted to it.

But, my other question is, would this be similar to on the North Side, like I know the legislators picked, if it is in 60 days or 90 days, or whatever it may be, would it be like a normal primary, where anyone who gets 200 signatures can have their name on a ballot, or would it be by committee, the committee people put a nominee and he or she is the only name on the ballot?

The Chair:

As we know -- maybe Councilman Smith can speak to this since he went through it. I believe the party would nominate. The Republican Party, that would be the nominee, the Republican, the Democrat, and I believe, however, that there would be the power for an individual to do a write-in. But, Councilman Smith, could you speak to this, having been through it.

Mr. Smith:

Well, having been through it and getting here because of it, it is mandated that each party put up a nominee. So, no, it would not be a free for all, other than those who felt that they could run a write-in campaign.

I think that what we need to do is, it is just a matter of changing the wording of the Home Rule Charter to meet the state mandate that within 60 days of a vacancy there would be a Special Election held. Back in those days there was a fear that it would cost money, so that is why they pushed it to the next election, but we did not have district elections at that time.

I think that it is very important that we address this. In my circumstance, having been a resident in the district that had a vacancy, we were very fortunate that it did not run through the budget time. But, I think that it is extremely important that someone be sitting at this table with us as we begin to prioritize and extend the City's resources into each and every district. Without someone sitting there, I would not dare say that we would not be fair and just, but it is better to have someone looking over our shoulder to see that

every citizen gets equal redistribution of the City resources.

I think that there is a possibility that -- many candidates are not born overnight, they are a combination of activity and service and public service to a district. So, I think that we can waylay the fear of, does someone have time to prepare; some people achieve greatness, others have it thrust upon them. Let's thrust it upon someone, fill that seat and address the problems of Council District 9 and the lack of a fellow Council person at the table.

REPORTS OF COMMITTEES

MR. ONORATO PRESENTED

Bill No. 557

Report of the Committee on Finance for May 4, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 349

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Pennsylvania Historical and Museum Commission in the amount of Twenty Thousand Dollars (\$20,000.00), in repayment for unspent funds in connection with a grant to Phipps Conservatory".

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

The bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Ricciardi
Mr. Hertzberg Mr. Smith
Mr. O'Connor Mr. Ferlo
(Pres't)

AYES 6 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 464

A Resolution entitled, "Resolution providing for an agreement or agreements with various agencies for job development and employment services in connection with the 1994 Neighborhood Employment Program and providing for the payment of the costs thereof. The cost not to exceed \$300,000.00, chargeable to and payable from the 1994 Community Development Block Grant Program, Code Account 4-85-01-0001-94-411-94-85, Index Code 876714".

Which was read.

Also,

Bill No. 465

A Resolution entitled, "Resolution providing for an agreement or agreements with various agencies for job development and employment services, job related vocational skills training, and/or on-the-job training in connection with the 1994 Pittsburgh Partnership Employment Program and providing for the payment thereof. At a cost not to exceed \$125,000.00, chargeable to and payable from 1994 Community Development Grant Program, Code Account 4-85-01-0003-94-373-94-85, Index Code 876706".

Which was read.

Also,

Bill No. 466

A Resolution entitled, "Resolution providing for the authorization to make all legitimate

administrative expenditures necessary to implement the Pittsburgh Partnership Employment Program; and providing for the periodic transfer of funds to reimburse for program administrative costs incurred. At a cost not to exceed \$175,000.00, chargeable to and payable from the 1994 Community Development Block Grant Program, Code Account 4-85-01-0003-94-373-94-85, Index Code 876706".

Which was read.

Also,

Bill No. 467

A Resolution entitled, "Resolution amending Resolution No. 883 of 1993 entitled "Providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Joint Jobs Initiative Program Single Point of Contact Project; providing for the execution of grant contracts and for the filing of requisitions and other data; approving the Joint Jobs Initiative Program Single Point of Contact Project Plan; providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment for the Joint Jobs Initiative Program projects; and providing for the deposit of funds into a bank account by increasing the amount available for subcontractor agreements by \$243,734.00."

Which was read.

Also,

Bill No. 468

A Resolution entitled, "Resolution providing for a contract or contracts, or the use of existing contracts for the purchase and delivery of new computer equipment needed to replace aging and inadequate existing SPOC equipment purchased in 1987 and 1988. The total of the contracts will not exceed (\$93,985.00), chargeable to and payable from the JTPA-1 Code Account, Index Code 260307."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

The bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Smith
Mr. Hertzberg Mr. Ferlo
Mr. O'Connor (Pres't)

AYES 5 NOES none

(MR. RICCIARDI ABSTAINING TO BILL NOS. 464, 465, 466, 467 AND 468)

The bills having received the legally required number of votes are passed finally.

Also,

Bill No. 472

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Walter H. Drane Company for professional services in connection with the preparation and printing of supplements to the Pittsburgh Code. At a cost not to exceed \$11,500.000 chargeable to and payable from Code Account 1005-3, Printing Pittsburgh Code, Index Code 100537."--- (SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 317

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of KPMG Peat Marwick in the amount of Eight Thousand Dollars (\$8,000.00) in payment for research services rendered in connection with a proposed bond issue to repay City of Pittsburgh electric utility charges, chargeable to and payable from

Code Account 1063, Index Code 106302,
Miscellaneous Services Department of Finance."

Which was read.

The Chair:

You have heard the reading and title of the bill,
is there any discussion on the bill?

The bill is now ready for final action. All in
favor of the passage of the bill will vote "aye"
when their names are call; all opposed will vote
"no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law,
and were:

Ayes:

Mr. Cohen Mr. Ricciardi
Mr. Hertzberg Mr. Smith
Mr. O'Connor

AYES 5 NOES 1

VOTING NO:

MR. FERLO
(Pres't)

And there not being two-thirds of the votes of
Council being in the affirmative, the bill was
tabled.

Also,

Bill No. 496

A Resolution entitled, "Resolution transferring the
amount \$6,000.00 from Code Account 1103
(110304), Miscellaneous Services, Department of
City Planning to Code Account 1838 (183806),
Miscellaneous Services, Department of Parks
and Recreation."---(SPONSORED BY MR.
FERLO)

Which was read.

The Chair:

You have heard the reading and title of the bill,
is there any discussion on the bill?

Hearing none, the bill is now ready for final
action. All in favor of the passage of the bill will
vote "aye" when their names are called; all
opposed will vote "no". The Clerk will
call the roll.

The ayes and noes were taken agreeably to law,
and were:

Ayes:

Mr. Cohen Mr. Ricciardi
Mr. Hertzberg Mr. Smith
Mr. O'Connor Mr. Ferlo
(Pres't)

AYES 6 NOES none

Bill No. 317 having failed to receive the
required number of votes is tabled; and the others
having received the required number of votes are
passed finally.

MR. SMITH PRESENTED

Bill No. 558

Report of the Committee on Planning, Housing &
Development for May 4, 1994 transmitting sundry
resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 470

A Resolution entitled, "Resolution providing for
the execution of a Cooperation Agreement or
Agreements with the Urban Redevelopment
Authority of Pittsburgh for the performance
of certain work in connection with the 1994-1995
Community Development Block Grant Program,
and providing for the payment and costs thereof.
At a cost not to exceed
(\$10,776,500.00), chargeable to and payable from
the 1994-1995 Community Development Block
Grant Trust Fund."

Which was read.

Also,

Bill No. 471

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application to the Pennsylvania Department of Community Affairs for the designation of the Hazelwood/Hays and a portion of the South Oakland Area of the City of Pittsburgh as an enterprise zone."

Which was read.

Also,

Bill No. 508

A Resolution entitled, "Resolution repealing Resolution No. 548, effective May 7, 1993, entitled "Resolution providing for an Agreement or Agreements with Garfield Can for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00."

Which was read.

Also,

Bill No. 509

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Bloomfield-Garfield Corporation for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00. Funds are available from the 1993 Community Development Block Grant Program 'City Council', Index No. 611855."

Which was read.

Also,

Bill No. 510

A Resolution entitled, "Resolution providing for a Cooperation Agreement between The Housing Authority of the City of Pittsburgh and the City of Pittsburgh for the funding of the Central Relocation Agency in the amount of \$480,000.00, chargeable to and payable from Code Account 1993 CDBG Program - Housing

Authority, 'Central Relocation Agency' Project #4-65-01-0570-93-525-93-65, Index #612879."

Which was read.

Also,

Bill No. 511

A Resolution entitled, "Resolution amending Resolution No. 1219 effective November 1, 1993, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1993 Community Development Block Grant Program" so as to remove a line item from the URA (Central Relocation Agency: - \$480,000.00) and add a line item in the Housing Authority, City of Pittsburgh (Central Relocation Agency): + \$480,000.00; and further to delete a line item (Garfield Can: - \$2,000.00) and create a new line item (Bloomfield Garfield Corporation: +\$2,000.00) City Council."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

Mr. O'Connor:

I would like my comments brought forward on Bill 471, please.

(REMARKS — SEE ADDENDUM)

The Chair:

Thank you. Other comments? Hearing no other comments, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Ricciardi

Mr. Hertzberg Mr. Smith
Mr. O'Connor Mr. Ferlo
(Pres't)

AYES 6 NOES none

The bills having received the legally required number of votes are passed finally.

MR. CUSICK PRESENTED

Bill No. 559

Report of the Committee on Engineering and Construction for May 4, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 451

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts and providing for the purchase of equipment and materials in connection with Various Swimming Pool Design and Rehabilitation; and providing for the payment of the cost thereof. At a cost not to exceed \$200,000.00, chargeable to and payable from Code Account EC94-103, 3-13-62-1351-94 Index Code #871541."

Which was read.

Also,

Bill No. 452

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Major Court Renovations; and providing for the payment of the costs thereof. At a cost not to exceed \$50,000.00 chargeable to and payable from Code Account EC94-122, Index Code #871624."

Which was read.

Also,

Bill No. 453

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with ballfield relighting at Various Locations; and providing for the payment of the costs thereof. At a cost not to exceed \$125,000.00, chargeable to and payable from Code Account EC95-115, 3-13-74-1485-94, Index Code #871582. At a cost not to exceed \$125,000.00, chargeable to and payable from Code Account EC 94-115, 3-13-74-1485-94, Index Code #871582."

Which was read.

Also,

Bill No. 454

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Asbestos and Lead Testing/Abatement Program; and providing for the payment of the costs thereof. AT a cost not to exceed \$125,000.00, chargeable to and payable from Code Account EC94-227, 3-13-95-2060-94, Index Code #871822."

Which was read.

Also,

Bill No. 455

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Overlook Improvements; and providing for the payment of the costs thereof. At a cost not to exceed \$50,000.00, chargeable to and payable from Code Account EC94-95, 3-13-60-0025-94, Index Code #871525."

Which was read.

Also,

Bill No. 456

A Resolution entitled, "Resolution providing an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for Construction Inspection Services for Various City Projects; and providing for the payment of the cost thereof. At a cost not to exceed \$380,000.00, chargeable to and payable from Code Account EC94-414, 3-13-35-0010-94, Index Code #871509."

Which was read.

Also,

Bill No. 457

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, for Architectural/Engineering Services in connection with Various City Projects; and providing for the payment of the cost thereof. At a cost not to exceed \$400,000.00, chargeable to and payable from Code Account EC94-88, 3-13-35-0003-94, Index Code #871483."

Which was read.

Also,

Bill No. 458

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, to perform required Bridge Maintenance at various locations, including but not limited to the Mission Street Bridges (East and West) Council District #3, Shaler Street Bridge, Council District #2, and others as identified through inspections; and providing for the payment of the cost thereof. At a cost not to exceed \$400,000.00, chargeable to and payable from Code Account EC94-512, 3-13-05-0007-94, Index Code 871301."

Which was read.

Also,

Bill No. 459

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for the Installation of Traffic Signal Equipment at Various Intersections; and providing for the payment of the cost thereof. At a cost not to exceed \$100,000.00, chargeable to and payable from Code Account EC94-47, 3-13-10-1522-94, Index Code #871160."

Which was read.

Also,

Bill No. 460

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for Miscellaneous Restoration of Various Water and Sewer Authority Projects; and providing for the payment of the cost thereof. At a cost not to exceed \$150,000.00, chargeable to and payable from Code Account EC94-569, 3-13-30-0310-94, Index Code #871244."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

Mr. O'Connor.

Mr. O'Connor:

I just want my comments brought forward on 457 and 459, please.

(REMARKS - SEE ADDENDUM)

The Chair:

Other comments? Mr. Cohen.

Mr. Cohen:

Comments brought forward on 459, please.

(REMARKS - SEE ADDENDUM)

The Chair:

Hearing no other comments, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Cusick	Mr. Smith
Mr. Hertzberg	Mr. Ferlo
Mr. O'Connor	(Pres't)

AYES 7 NOES none

The bills having received the legally required number of votes are passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

Under Motions and Resolutions, any comments or concerns or issues to be brought up? Mr. Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President and colleagues. Unfortunately, many residents in the City of Pittsburgh throughout several neighborhoods, mostly in the East End, are experiencing water difficulty; that is, they are experiencing either low pressure, that can continue for the next two weeks.

Several weeks ago there was a sewer that needed to be repaired in that area, at that time there was also a water line, a 42-inch water line of the old concrete style that was also in the area.

Let me just say that this is government at its best but I believe contracting at its worse. That is, that different departments are coming together to do their very best to provide safe drinking water to those neighborhoods, either through a tank, a reservoir -- unfortunately, another reservoir of ours

is down that usually feeds into that area -- and also through using our own fire equipment, and that is, our fire apparatuses, to make sure enough water pressure is pumped into those lines.

I feel confident that our City workers are working very diligently and will make sure that the communities have decent water pressure and hopefully not have to be shut down again.

What I am bringing before this board, and hopefully for your support, as I stated, my own personal view, I believe this is contracting at its worse. That is, that I believe deep in my heart and from the information I have gathered, that we must look at this situation very clearly, because it is going to cause not only an inconvenience to our water rate payers, but also there is going to be a grave cost, a very big cost to the Pittsburgh Water and Sewer Authority in order to replace 150 feet of this old concrete line.

By having discussions with several different departments, I am finding, even within City government and our consultant, Chester Engineers, that there is some, either discrepancy, or some disagreement on some of the facts, and what I am asking this Council to do is to support a resolution, that I would like to be put before us, that immediately that our City Solicitor begin interviewing the contractor, the different departments, Department of Water, Department of Public Works, Department of Engineering and Construction and Chester Engineer, including the Executive Director of the Pittsburgh Water and Sewer Authority, because while work is progressing, some important data and facts are actually covered, that is, removed or covered with dirt, because obviously we have to make sure people have safe drinking water.

Again, in summary, the resolution is that our City Solicitor immediately contact all those involved, both inside and outside City Hall, to immediately gather the data and the facts for future consideration or future action, both by the Pittsburgh Water and Sewer Authority and City government.

MR. SMITH seconded the motion.

The Chair:

It has been moved and seconded.

And, let me just add to this, since it is my Council district, I believe you are talking about Hampton Street in Morningside, and if I understand what went wrong -- this whole thing does not wash with me -- I understand a company was hired to do a sewer job. Now, somehow a sewer job ended up being a major break of the water line because of either what was incompetence on the part of this contractor, or -- actually I am partly wanting some explanation from the Department of Public Works on what went wrong.

My understanding is Chester Engineers' equipment, and specifically a television system that T.V.s the line, actually got stuck and caused the problem in the first place, and then when water erupted, it caused the sand and the other material around the water pipe to give way, then causing the water pipe to break. Now, I want to know who's out of the money; is Chester Engineers culpable in this matter, do they have a financial obligation, and who is this Tedesco Company, I have never heard of them doing work before, are they competent to do the work; who's being called on an emergency basis, and why do residents in my district have to put up with this?

Mr. Ricciardi:

Well, Mr. President, you have mentioned some very important facts, facts that I have also gathered, and there are some other facts that you did not mention here today, I am not sure if you know what they are. But, I do not feel comfortable in presenting this, because in no way do I want to cast my feeling or my position on what is happening. That is the reason, I am sure, you are going to support the resolution before you today.

The Chair:

I absolutely support it, but independent of --

Mr. Ricciardi:

Thank you. And, absolutely right, a camera was caught in the sewer line, it was down there for Chester, another contractor was called in to dig. The Director, who I really commend, from the Water Department, showed up on site a week ago and mentioned to one of our departments and the contractor to shore the hole, that is, you build

the hole and you construct actually a house within it to make sure no dirt is moved. None of that took place. But, again, I think that is why we need -- our City Solicitor needs to move today, because not only are our taxpayers and our water rate payers inconvenienced, but I believe that we need to find out whose fault, if any, is at hand and who is going to pay the bill.

The Chair:

Right. Again, I support the resolution, I am only further making the point that I would hope a confident, qualified contractor, who has an established track record, either with sewers or with water, is hired to fix it immediately and these other issues can be sorted out.

I also question what went awry with Public Works, they started the job, they seemed to botch the job, and then now the Water and Sewer Department has inherited the problem because of the water break. There are a lot of questions that need to be answered. I have been trying all day to get a response from Public Works, to no avail. Director Hanna did call me back very quickly and I got some sense of the picture.

But, I support the resolution, but I think we may have to go further, and I would ask, since you chair the committee and also are on the board, that you help provide some further background and leadership on this point.

Mr. Ricciardi:

Well, thank you.

The Chair:

Mr. Cohen.

Mr. Cohen:

I will defer to my colleague.

Mr. Ricciardi:

I was just going to say, thank you, Mr. President, and I will. That is the reason I stated that once the emergency happened, I think right now it is government at its best, because I think the departments all are pulling together to make sure that we have --

The Chair:

Well, when Public Works digs up a sewer line, they know where the water line is. That is my point. So, why didn't they do their work on this respect?

Mr. Ricciardi:

Well, absolutely, and that is why I had mentioned, Mr. President, that I feel it is so important that now, an independent investigation, and I am not using that word very lightly, but an independent investigation begin immediately, because while the work is being performed, we are losing valuable time in, number one, taking pictures, in number two, interviewing all those on site, and number three, if needed, going within our own departments or an outside source in terms of an engineering study, because there is going to be a big bill to pay, let alone our residents are being very inconvenienced. And, I do realize, Mr. Ferlo, and you did call me over the weekend concerned about your residents being inconvenienced in terms of the water pressure. But, I would hope that this Council would support the resolution and I get a feeling we will.

The Chair:

As part of the resolution, while we research these other issues, I want a confident and qualified contractor that has an established track record to be hired yesterday to fix this up and we go after Chester Engineers, or Public works, or whoever botched this thing in the first place and we get some answers.

Mr. Cohen.

Mr. Cohen:

Thank you, Mr. President. I first want to commend Councilman Ricciardi for staying on top of this issue ever since the water break occurred on Saturday night. As Chair of the Water Committee, I think he has really done a very thorough investigation himself in a very short period of time.

The part of this that really concerns me is that it seems as if, and I do want to say, it seems as if, the contractor was put on notice about this potential

hazard, and despite being put on notice by City officials, it appears as if, and I say, appears as if, the contractor moved ahead anyway and did exactly what the Water Director asked not to be done, and for that reason I do think there is enough evidence here to have a full thorough and independent investigation, because there is enough reasonable suspicion here that there were wrongdoings.

Also, the point that Mr. Ricciardi brought up about the evidence, us not losing the evidence, is very, very important, because of the amount of work that is being done there.

So, I support a complete and thorough investigation. Councilman Ricciardi said the Solicitor should initiate that. I think that is very appropriate to have the Solicitor do it.

At the same time I do want to say that, as Chair of the Public Safety Committee here, the Pittsburgh Bureau of Fire, in particular, other departments as well, but the Pittsburgh Bureau of Fire, in particular, has done extraordinary work over the last two days to try to get water back to these residents. There are now three pumper trucks that are in operation to try to pump water from the Highland Park Reservoir No. 1 to the water lines to be able to get water to these residents. Chief Dickinson just told me that there is a fourth pumper that is about to be put on, and those are really extraordinary emergency efforts by our firefighters to make sure that they receive water. That line that was broken, as Mr. Ricciardi said, that is the only line that feeds the Garfield tank, and that tank provides water for many, many of our residents of the City of Pittsburgh. It is a 20-inch concrete line, and that is a very large line and one that our water employees are not able to fix without sending out for a contractor. So, it was a critical line that was broken. That is just another reason why we need an investigation, and if wrong-doing occurred, then I think a penalty should be assessed, because at least a thousand homes went without water yesterday, and there are some homes that are still either without water or that have low water pressure. So, I support the resolution and think we ought to move ahead quickly.

The Chair:

Well, again, I applaud the efforts of the Fire Bureau to pitch in, but the engine pumpers were not meant to pump water 24 hours a day for the next two weeks. So, I would hope that a contractor is hired that could remedy the situation while we go on with the intent of the resolution for a further investigation.

All in favor of this motion and resolution?

WHICH MOTION PREVAILED.

The Chair:

Motion carries, and, Councilman, we will need a report back from you at next week's meeting.

Mr. Ricciardi:

Yes, thank you, and I will also take your advice, Mr. President, and start that today.

The Chair:

Thank you. Any other comments under Motions and Resolutions? Mr. O'Connor.

Mr. O'Connor:

Well, I would like to make one motion. I see -- read in the paper today that the famous Pittsburgher, probably one of our most famous Hollywood stars, is in the hospital, Gene Kelly, from East Liberty and I know he had a dance studio in Squirrel Hill. I would like to send a letter that he gets well, from Council, that he has a speedy recovery.

The Chair:

Very good.

Mr. O'Connor:

One other issue I had. On Thursday I spent a couple hours with a representative from Harrisburg, Ivan Itkins' Office, myself and people from the Jewish Home, not only the hospital, and we have Senior Citizens on Brownsville Road, concerned about the speeding there and the traffic accidents we have had. We have had about three deaths over the last two or three years. It is a major

intersection for the residents, who take the bus, most of them are Senior Citizens, take the bus to, whether it be Squirrel Hill or Downtown, get off and try to cross the highway. We have done a lot of things, and Engineering, Mr. Reginella, was there, he helped us. In the past we have delayed the lights, but just standing there with a police officer, one of the things we have to do immediately, and I sent a memo requesting VASCAR, it is really like a highway and the police recommended that. I sent a request Friday requesting VASCAR, but yet over the weekend, before we could do anything, there was another tragic accident and a woman was killed in a car.

So, tomorrow Mr. Itkin and myself are meeting at 2 o'clock with the residents down there and the business owners to see what long term initiatives we can do. But, I am requesting that VASCAR, and for the people who travel that road, I hope to send a calvary down there to slow things down, it is the only thing we can do with it to save, it is very dangerous and getting worse. So, I just wanted to make people aware that are traveling Brownsville Road, I hope our police officer is there quite often and slowing them down and if it takes ticketing, that may be the only solution we can.

The Chair:

Thank you, Mr. O'Connor.

Any other comments?

Two brief announcements. One is, there is a public hearing before the Planning Commission this Tuesday, May 17th, at 2:15, this regards legislation I have submitted with Councilman Ricciardi on the proposed Riverboat Gambling Legislation allowing for community input and the public to have some input into where and what manner these Riverboat Gambling operations would operate, providing for a Conditional Use process through this Council and a required public hearing. If people are concerned about this issue, the public hearing is Tuesday, May 17th, 2:15, at the Planning Commission. I am sure Councilman Ricciardi will be there to speak.

Secondly, we will be receiving some legislation regarding the Villa De Marrillac Nursing Home in Stanton Heights, which is proposing a major expansion, it is badly in need of additional beds for

individuals, primarily elderly individuals. The zone change will be required as well as a text change in the Zoning Code. Originally the commission was going to create an "IC" Institution Civic, "IP" Institution Planned District, at the site of the nursing home, I asked them rather to make an "RP" Zone, Residential Planned Unit Zone, so that there could be a complementary activity to the residential character of the Stanton Heights/Morningside neighborhood. They have done that, there will be a public hearing in the Planning Commission. I will move quickly to have a public hearing here. It will mean some additional jobs for the East End residents and a new and improved nursing home.

Any other comments? We need a motion to approve the minutes.

MR. SMITH moved to approve the Minutes of Tuesday, May 3, 1994.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

And on the motion of MR. SMITH

Council adjourned.

(BEGINNING - MR. O'CONNOR'S COMMENTS ON BILL NO. 471, WEDNESDAY,
MAY 4, 1994)

Mr. O'Connor:

Very briefly Director, this benefits the Greater Hazelwood/Hays and South Oakland area. This is an application for a grant for an enterprise zone. How can we -- Harrisburg actually votes on this, right?.

Dir. Birru:

That's correct, yes.

Mr. O'Connor:

In other words, by us approving this it's only a first step.

Dir. Birru:

This allows us to apply to DCA which is very competitive funding and they have to approve it.

Mr. O'Connor:

Is it to our advantage especially people in the area to lobby our legislators in Harrisburg?

Dir. Birru:

It's very important to do that, yes.

Mr. O'Connor:

Could you give us a memo maybe who we can -- I think this benefits not only a couple Council districts but the city overall and I'm sure I would have the support of my fellow Councilmembers.

Dir. Birru:

Just to remind you, we applied for the state enterprise designation for this same area about two years ago and that was denied and we are starting again to reapply for the same area which includes South Oakland, Hazelwood/Glenwood/Glen Hazel areas.

Mr. O'Connor:

When would this be approved or disapproved?

Dir. Birru:

This year.

Mr. O'Connor:

So we have a couple months to try and get support.

Dir. Birru:

Yes.

Mr. O'Connor:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

(BEGINNING - MR. O'CONNOR'S COMMENTS ON BILL NOS. 457 and 459;
BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 459, WEDNESDAY, MAY 4, 1994

The Chair:

We can continue with the questioning.

Mr. Hertzberg:

Thanks.

The Chair:

Even though we voted, Councilman Hertzberg, I will let you have the floor. I am sorry I cut you off, I did not see your hand up.

Mr. Hertzberg:

That is all right.

I have been surprised, since I have been on Council, by the number of consultants and other people outside of City employees that do the work that I thought was done by the City.

But, Director Reginella, I know you have got extensive experience in this area, and I am going to take it face value what you are telling me in casting that "yes" vote, that you believe it is more efficient to do it that way, because I am sure there are instances when it is.

Thank you. That is all.

BILL NO. 457

Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, for Architectural/Engineering Services in connection with Various City Projects; and providing for the payment of the cost thereof. This Resolution will provide authorization for the annual Geotechnical Engineering, Architectural and Landscape Service Contracts, Funds for these services (\$400,000.00) are available in Code Account EC94-88, 3-13-35-0003, Index Code #871483.

Which was read.

Mr. Cusick:

Move for approval.

Mr. O'Connor:

Second for discussion.

Which motion prevailed.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

I am concerned -- I just want to bring it to your attention, maybe. I understand there is -- I do not know what part of this is landscaping services but I am sure we do a lot of that.

I have been contacted by some landscapers, especially City landscapers, who are licensed and they pay a \$150.00 license fee to operate in the City and to take leaf -- to remove leaves, and do that, and they are very concerned that, not only operating in the City, but doing some City or government work, that there are non-licensed -- they may be a legitimate company, but they are not buying our license. I know it is not a major thing for BBI and police maybe to inspect it, but the people who are paying this \$150.00 fee, I feel -- and probably most of them are City contractors, landscapers. Do we have a way to cross check before we give out a bid?

Mr. Reginella:

Well, first, let me clear up the fact that this particular resolution is for consulting professional services, it is not for landscaping services, in terms of work performed, or not actual landscaping work, but the design effort.

For instance, in the renovations of the Davis Playground, if we had not been able to do the engineering in-house, we would have had to go out to hire a consultant, and that is what this is for.

Now, with regard to your question about contractors that do landscaping work. I was not aware of the fact that there are registered landscaping firms with the City, that is, that pay out a \$150.00 fee for it on an annual basis, nor do I know what the requirements are. Is it simply a matter of registering, or is it they have to be subject to a test to determine their capability?

Mr. O'Connor:

No, I do not think so. I just think they have to be registered, it is a \$150.00 fee, they get two stickers for their

trucks, if they want additional stickers they pay \$10.00. It is more for the leaf hauling and things like that, and the contractors that are doing it are very upset, when they are doing the work and they see somebody who does not have the sticker, basically, and especially when it is City work.

Mr. Reginella:

But the work that we put out is bid competitively, anyone that meets the requirements, anyone who is bondable, can, in fact, bid on the job and so on.

Mr. O'Connor:

Or, maybe on your bid that they have to be registered with the City, as the law.

Mr. Reginella:

We could change the requirements or the specifications that requires them to be registered.

The Chair:

Any other questions? All in favor? Opposed? The ayes have it.

Which motion prevailed.

BILL NO. 458

Resolution providing for a Contract or Contracts, or use of existing Contracts, to perform required Bridge Maintenance at various locations, including but not limited to the Mission Street Bridges (East and West) Council District #3, Shaler Street Bridge, Council District #2, and others as identified through inspections; and providing for the payment of the cost thereof. Funds for these projects (\$400,000.00) are available in Code Account EC94-512, 3-13-05-0007-94, Index Code #871301.

Which was read.

Mr. Cusick:

Move for discussion.

Mr. Smith:

Second.

Which motion prevailed.

The Chair:

Councilman Cusick.

Mr. Cusick:

Director, Mr. Ricciardi had to take leave. Would you explain what is going to go on with the Mission Street Bridge, and probably Councilman Hertzberg would like to know what is going on with the Shaler Street Bridge.

Mr. Reginella:

Recently we have undertaken an intensified maintenance program, it happened a few years back when the federal dollars began to dry out for rehabilitation of bridges, so we felt that we would emphasize and concentrate on maintenance to extend the life of a bridge. This particular year most of the monies that we appropriated for this purpose goes toward the replacement of the expansion dams, that I am sure you know what they are, at the end of each structure, or sometimes in between, depending on the length of the span. There are provisions made for the structure to expand and contract due to weather changes, temperature changes, and these expansion dams have always been a source of problems, maintenance problems, and consequently periodically they are required to be replaced.

And, that is essentially what we are doing with two structures this year, the Elizabeth Street Bridge and the Herron Avenue Bridge, also, the two of them requiring the replacement of the expansion dams at a cost of about \$250,000.00. The Mission Street Bridges, we have some steel members that exhibited some distress and we want to get in and reinforce them. The bridge is supposed to have -- \$50,000.00 to be on the Mission Street Bridges, there are two of them. The Shaler Street Bridge work is basically almost complete and, again, that was expansion dams replacement. And, that just about covers the amount of monies that we have available here.

Other things that we do with this money is we clean all the drainage systems on the bridge, that needs to be done every couple of years, of the ones that clog up and cause the flooding of the structure and other damages as well. And other minor repairs.

Mr. Cusick:

Thank you.

The Chair:

Councilman Ferlo.

Mr. Ferlo:

A couple things. First of all, Director, I realize the Heths Run Bridge is a State bridge, or I believe the plan ultimately is to not have it be a bridge but just make it an overpass. When is that going to be done, and have we prioritized our communications to the State to try to get them off the --

Mr. Reginella:

We actually --

Mr. Ferlo:

We have a ten-year commitment on that bridge, all the decorative design is all but falling into the river, the vases, it is in terrible condition, it is unsafe, it is a lawsuit, it is a liability waiting to happen.

Mr. Reginella:

Everything that you stated is correct. A few years back it became evident that the ownership of the bridge was PennDot's, not the City's, so we transferred the structure to the State. At that time we had completed the design for the replacement of the bridge, which, as you stated, would be to take away the existing concrete arch and build an embankment, if you will, so that the road will be on a hearth, would not be on the bridge. At that point when PennDot took over ownership and we, again, turned over all the documents to them and, of course, the City was reimbursed for the cost of the design effort, we sort of lost control of the project. We have communicated with PennDot, they are aware of the conditions of the structure, they are fully cognizant of the fact that it is their structure, their responsibility, no longer the City's. Whether or not we can impress upon them the urgency of moving quickly is something that --

Mr. Ferlo:

Well, how about this, how about if we put a sign up to make it clear to everybody who is traveling that is not the City of Pittsburgh's bridge and that we have been struggling for ten years to get the State to deal with it. I think we should put a sign up clearly stating who is responsible and if there is any liability claims because the condition -- and I am sure my other colleagues are familiar with the bottom of the zoo area and near Butler Street, it is referred to as the Heths Run Bridge, I think we should have some sign there making it clear who people should call. They should not call my office and they should not call Engineering and Construction or the Mayor, they should call PennDot. We should move that along.

Mr. Reginella:

I agree.

Mr. Ferlo:

Just two things, though. I do not know the name of the bridge, but it has bugged me for many years. It is a little bridge as you are approaching Shadyside Hospital, maybe Councilman Cohen can help me out, just past Morewood, but the span is so bad, and I think it is our bridge because I remember voting about five years ago for some money for one of those bridges. It sits at Centre past Morewood as you are approaching the light towards Shadyside Hospital, there is an expansion bridge there and the span there is in such disrepair and it is a real problem for automobiles, they have to brake. I am sure over the years there has been rear end accidents. Is that our responsibility?

Mr. Reginella:

That is our bridge, yes.

Mr. Ferlo:

Well, can't we deal with that span and also the span at the Bloomfield Bridge? The Bloomfield Bridge when you come down from it now going to Liberty and when you are approaching the ramp going towards Town, I really question that something has not dropped or that there is some problem there.

Mr. Reginella:

Maybe, we certainly will look at it. I believe we had that report before and our people did go out and find that there was no problem, but --

Mr. Ferlo:

Then you have a visually impaired inspector because --

Mr. Reginella:

That is why we are hiring more, correct?

Mr. Ferlo:

I suggest you go out and do it again.

Mr. Reginella:

We will buy him some glasses.

Mr. Ferlo:

But, I would ask that your department look at both of those bridges, please.

Mr. Reginella:

Will do.

The Chair:

Councilman Cohen.

Mr. Cohen:

Thank you, Mr. Chair.

Since we are on bridges, Mr. Reginella, could you give us a status report on the two Schenley Park Bridges, one that is being worked on now, and one later, please? I get an awful lot of inquiries about them.

Mr. Reginella:

I am sure you do, and most of the people that normally use that route are exasperated by the continued closure, but the contractor is operating within his contractual time table, so there are no delays. The work is to be completed for the Schenley Park Bridge over Boundary Street by this June, not later than July, it should be reopened by July. That is the expiration -- this year. That is the expiration of the contractual time table. However --

Mr. Cohen:

I am sorry to interrupt you, Mr. Reginella. I forget, are there penalties for going beyond that deadline?

Mr. Reginella:

Definitely, yes, liquidated damages are always specified and if the contractor does not complete on time those damages will be applied.

Mr. Cohen:

You think they are on track?

Mr. Reginella:

They are, July, yes.

Mr. O'Connor:

I was just there, Mr. Cohen, it is almost done. I was checking.

Mr. Cohen:

All right. Now, how about the next line?

Mr. Reginella:

Unfortunately, the -- that is the good news, the bad news is that as soon as we open that one, the Panther Hollow Bridge will be closed. So that we are finalizing the design documents on the Panther Hollow Bridge and we will be bidding it later this summer.

Mr. Cohen:

I am really worried about that Panther Hollow Bridge --

Mr. Reginella:

That is in much worse shape than the Boundary Street Bridge, yes.

Mr. Cohen:

It is in terrible shape. Even with pedestrians, I realize that there is a fence there and I won't get into the whole fencing issue, but I think it is dangerous even for pedestrians right now.

Mr. Reginella:

Yes, fortunately, or unfortunately, as the case may be, depending on your point of view, what we see on the surface of the bridge is not necessarily reflective of what is underneath; that is, the structure is not in that bad of a shape. That is basically your sidewalks and your curbs that are totally deteriorated, and it appeared to us that it will be foolish to go in there and spend money to make temporarily repaired when, in fact, we are looking at total replacement within a matter of months here.

Mr. Cohen:

What is the time frame, Mr. Reginella, for the Panther Hollow Bridge?

Mr. Reginella:

Again, it will be more than one construction season. So, I think we are looking at this year and all of 1995.

Mr. Cohen:

And, again, there is no way to begin construction, begin that process while the Schenley Park Bridge is being completed?

Mr. Reginella:

That is correct. That was our scheme and we did not want to have the two of them closed at the same time.

Mr. Cohen:

Thank you.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

Thirty seconds, while we are on bridges. And I know this is not our bridge, but the Glenwood Bridge, I mean I get more calls on that and that is a State bridge. Is there a problem with the State and PennDot, because I mean they are talking about all these new highways and new projects but, my God, that is the worse pothole road in the whole area?

Mr. Reginella:

Yes, the Glenwood Bridge is a County bridge that carries the State route. The City has minimal responsibilities, strictly the navigational lights and the streetlights are the responsibility of the City, everything else is either County or State. They are talking about re-decking the bridge. What their schedule is, I am not sure. They are also talking about potentially modifying the approach to the bridge on the Second Avenue and Hazelwood side, right.

Mr. O'Connor:

So, PennDot, if I contacted them, they would at least give us an answer?

Mr. Reginella:

They should be able to give you an answer, right.

The Chair:

All in favor? Opposed? The ayes have it.

Which motion prevailed.

BILL NO. 459

Resolution providing for a Contract or Contracts, or use of existing Contracts for the Installation of Traffic Signal Equipment at Various Intersections; and providing for the payment of the cost thereof. This Resolution will supplement the maintenance of and/or installation of traffic signal equipment throughout the City. Funds for this project (\$100,000.00) are available.

Which was read.

Mr. Smith:

Move for approval.

Mr. Cohen:

Second for discussion.

The Chair:

Councilman Cohen, I heard you first.

Mr. Cohen:

Thank you, and I will be brief, Mr. Smith.

Mr. Reginella, whenever this bill comes up every year I always ask this question and try to get a status report on it. I have seen so many instances recently where emergency vehicles, particularly ambulances, have been trying to go through -- had to go through intersections, crowded intersections, and had to navigate around cars, and I think the solution is to have a system, an automated system, whereby the emergency vehicle can have the light change from red to green so that there is not a chance of accidents while the emergency vehicle is trying to get through. I just remember one of the companies is named Opticon, I believe.

Mr. Reginella:

That is correct.

Mr. Cohen:

Does this bill include money for that system --

Mr. Reginella:

No, it does not.

Mr. Cohen:

-- and if not, what is the status of our program?

Mr. Reginella:

We had been looking at the feasibility of having such a system, or a similar system, for that matter, that will enable emergency vehicles to go through an intersection. There are problems connected with a concept, of course, nothing comes free. But, however, in major downtown areas, that sort of concept is doable, and we have taken steps to include the necessary conduits and such as maybe required during the reconstruction of, let's say, Grant to Liberty, and so on and so forth, so that we could come in at a future date and install a prehension system, I believe that is what they call it. To think that we could do that throughout the entire City is problematic, at best. I do not know that we have the finances. These things are not inexpensive. And, of course, as I said, you may be looking at solving one problem, certainly we want an emergency vehicle to get wherever it is going as quickly as possible, but when streets are -- particularly during the peak hours, when streets are jammed, dreadlocked, essentially, the ability to change the light from red to green does not necessarily help the emergency vehicle in all cases.

Mr. Cohen:

Why not?

Mr. Reginella:

Well, because, as I said --

Mr. Cohen:

I understand there are other costs involved, where the people who are waiting for the light will have to wait yet another turn, I realize that is a cost, but certainly wouldn't it be easier if they had a green light?

Mr. Reginella:

Well, we rely on the prudence, if you will, of the, for instance, the Fire Department, the Fire Bureau, to advise us as to where such things are needed. It all depends on the logistics of the matter, location of the firehouse, generally speaking, what response time they are able to achieve without the benefit of a prehension system, and so on and so forth. If

they do not request such an application, we are not likely to propose it. We have had discussions with Chief Dickinson with regard to installing a prehension system for the Downtown areas, and then we are taking steps to accomplish that, can't tell you exactly when it will be a reality, but there is the need for equipping the vehicle with an emitter that sends a signal to the traffic signal, then you have to install a receiver on the signal that receives the signal then changes the light. It has been found that this can cause accidents because people crossing the intersection in the opposite direction, they are not going to be aware of the fact that you are changing the light on them. But, that is besides the point. I think your point is well taken. And, yes, we are looking at it, but my sense is that do not expect this to occur throughout the whole City because it just is not going to happen.

Mr. Cohen:

No. Can we do this, Mr. Reginella? It is not as if this is new technology, it is actually quite old technology; in fact, the City of Erie, Pennsylvania has had this installed for many, many years. What about a pilot project at one intersection so that we can see, the Fire Chief and the EMS Chief and the Police Chief can also see how useful it is? What if we work together to choose an intersection, I do not care if it is Downtown, I mean Downtown makes sense, and try it there. If you could provide Council with what the cost of that would be to do it at one intersection and then have an opportunity to ask the Public Safety personnel whether this would help them or not.

Mr. Reginella:

Sure. And that would be the right approach, to do one or two intersections on a trial basis to see what kind of results we get.

Mr. Cohen:

Would you let us know what the cost of that is?

Mr. Reginella:

Sure.

Mr. Cohen:

And, whether there is any hope for reimbursement or up-front funding by the County, State or Federal Government? It may well be, and I do not know, that even the private contractor will give a reduced fee for one trial intersection.

Mr. Reginella:

Sure.

The Chair:

Can we take a break for a second and switch stenographers.

(At this point, Ms. Hruska resumed stenotyping the meeting)

(Continued on next page with no loss of context)

CHERYL L. WILDS
STENOTYPE REPORTER

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

May 17, 1994

No. 20

Municipal Record

ONE-HUNDRED TWENTY-EIGHTH COUNCIL

DAN COHEN.....President (Pro Tem)
LINDA M. JOHNSON-WASLER...City Clerk
KURT J. SALAC.....Asst. City Clerk

Pittsburgh, PA
Tuesday, May 17, 1994

PRESENT:

Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Smith
Mr. O'Connor Mr. Cohen
Mr. Onorato (Pres't Pro Tem)

ABSENT:

Mr. Ferlo
(Pres't)

The Chair:

Council's Legislative Session will now come to order. Good morning town, so I will be filling in for him today.

Would you all please rise for the Pledge of Allegiance and remain standing for a moment of silence for peace in Pittsburgh and throughout the world.

We are very honored this morning to have Mr. William Haggerty here, who is in the 3rd Grade at the Immaculate Conception School in Bloomfield -- in the 8th Council District, by the

way -- to lead us in the Pledge of Allegiance. William.

William Haggerty:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you very much. I also want to thank William's Gym teacher, Mrs. Arzenti, for being here this morning. William, we also have a flag set for you. So, thank you very much for coming. Say "hi" to everybody in Bloomfield.

Our first order of business is proclamations, and we begin with Councilman Alan Hertzberg, who has a proclamation.

PRESENTATIONS

Mr. Hertzberg:

I would like to call the people connected with the YMCA Scholar Athlete Banquet up front here, please.

Mr. President, we often see each other at the YMCA Downtown, and this resolution involves something that is going on at the YMCA, and that is the Scholar Athlete Banquet, and I think the best thing for me to do is just to read this and then let the individuals who are here, who I will introduce, speak to you.

MR. HERTZBERG PRESENTS

No. 560 **WHEREAS**, The YMCA SCHOLAR ATHLETE BANQUET being held on Wednesday, May 18, 1994 has been held over each of the last 19 years; and,

WHEREAS, those invited and being honored include 138 top high school athletes with an average GPA of 3.98 or higher; and,

WHEREAS, Gary Hudson, a senior at Taylor Allderice High School, will receive THE OUTSTANDING PERFORMANCE AWARD for his special achievement in overcoming a physical disability and going on to achieve athletic and academic success; and,

WHEREAS, Eugene Barone, Retired Chairman of the Board and CEO of Veritus Corporation, will receive THE PENNSYLVANIA SERVICE TO YOUTH AWARD in recognition of his ongoing commitment in serving the needs of young people and his exemplification of the highest standard of leadership in the community; and,

WHEREAS, Greg Lloyd, Linebacker for the Pittsburgh Steelers, will be honored as the 1994 MAN OF THE YEAR for his many charitable activities on behalf of the children in Allegheny County; and,

WHEREAS, the achievements of both male and female students of all backgrounds, from all Western Pennsylvania Schools, in all forms of organized interscholastic sports, will be recognized; and,

WHEREAS, selection of the honored students is based upon three criteria: academic excellence; athletic achievement; and community service; and,

WHEREAS, Kenneth J. Horoho, Jr., Chairman of the YMCA Scholar Athlete Banquet, the Downtown YMCA and the YMCA of metropolitan Pittsburgh, are coordinating this year's banquet to be held on Wednesday, May 18, 1994 at 5:30 P.M. at the Pittsburgh Hilton Hotel.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the YMCA for its promotion of young peoples' accomplishments from the sporting field to the classroom, for these students represent an inspirational and heartening glimpse into the future of America; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Wednesday, May

18, 1994 as YMCA SCHOLAR ATHLETE DAY in the City of Pittsburgh.

SPONSORED BY COUNCILMEMBERS ALAN HERTZBERG, DAN COHEN, JOE CUSICK, JIM FERLO, BOB O'CONNOR, DAN ONORATO, GENE RICCIARDI AND CHRISTOPHER SMITH.

MR. HERTZBERG moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

And we have here from the YMCA George Babish and Nancy Kramer, and we also have Ken Horoho, who is a mere member like yourself and I, Mr. President, but who has worked very hard --

The Chair:

We won't ask what level.

Mr. Hertzberg:

-- as the Director of this banquet. We also have Jack Shaw, who is here on behalf of Mr. Barone from Blue Cross, and we also have Gary Hudson here. I think maybe we will have Gary Hudson talk first. If you wouldn't mind saying a few words, Gary.

Gary Hudson:

I would just like to say "thanks" to everyone who made this possible. It wasn't that difficult. And that's about all.

Mr. Hertzberg:

Ken, would you please say a few words, and maybe you could tell us a little bit about Mr. Hudson and how he was chosen.

Mr. Horoho:

First of all, I would like to thank Council, Mr. Hertzberg, Mr. Cohen and the rest of the Council individuals for this proclamation.

What we have in this room with the Council is our current leaders of this area. What we are trying to do at the YMCA with this banquet is to motivate our young people and to make them our leaders of the future. These 135 individuals that will be honored tomorrow night, Wednesday night, in front of a KBL Sports televised live audience and in front of about 15, 1800 people at the Hilton, really exemplify our leaders of tomorrow. They will be honored based upon their athletic and academic excellence, as well as their leadership qualities.

And, we also are proud to honor Mr. Hudson from Taylor Allderdice; he is very modest. Mr. Hudson was an individual -- and we give this award each year to somebody that has overcome a physical handicap to excel in his or her respective sport. Mr. Hudson is an extremely exemplified and tremendous individual. A few years ago Mr. Hudson was on the wrestling team and he contracted Hodgkin's Disease. It was not in the first level, it was the fourth or fifth type of level, the very serious type of Hodgkin's Disease. Mr. Hudson showed tremendous fortitude and courage and fought that disease, got back to school, got back to wrestling and was the captain of that wrestling team and led that wrestling team to a tremendous season. And, if you would not mind, I would like everybody here to give Mr. Hudson just a warm round of applause.

We are also honoring Mr. Gene Barone, the President of Blue Cross, retiring from Blue Cross, for his service to youths of Pennsylvania. And, finally, we also are honoring another tremendous individual, a gentleman by the name of Greg Lloyd from the Pittsburgh Steelers, who we all know does a tremendous job on the field as one of the most aggressive linebackers in the National Football League, but Mr. Lloyd also behind the scenes does a lot of things that these Council people do and a lot of people in this room do and that is reaching out to the community to help under-privileged people and help the people of our community, and that is why we are honoring Mr. Lloyd also tomorrow night.

So, again, on behalf of George Babish, our Executive Director, Nancy Kramer, the Assistant Executive Director, everybody associated with the "Y", Mr. Cohen, Mr. Hertzberg and the rest of Council people, I would very much like to give you my thanks, tell you again that the banquet

is tomorrow. We very much feel this is part of Pittsburgh and a very important sporting event, and thank you once again for having us.

The Chair:

Thank you.

Mr. Shaw:

On behalf of Gene Barone, although he is recently retired CEO of Blue Cross, has not slowed down his busy schedule and he was not able to make it, but he did want to express his thanks to Council for passing this proclamation, a congratulations to all the students who will be honored tomorrow and especially the YMCA for their continued and excellent programs that they provide to the youths of our area. Thank you.

Mr. Babish:

As many of you know, the YMCA provides services to a broad spectrum of people in the community and we have been recently in the news for some of our gang intervention programs. That is one sector of society we are very proud to work with and to try to make a difference. This is the other end of the spectrum, where these kids are the cream of the crop, in terms of how society have used them, and it is just another program that we hope makes a difference in the community, and I would like to thank Council again for having us here. Thank you.

Mr. Hertzberg:

In case you forgot, that will be tomorrow night, it starts at 5:30, Pittsburgh Hilton. Tickets are still available, aren't they, Ken?

Mr. Horoho:

A few good seats available.

Mr. Hertzberg:

A few good seats available, \$40.00 a person, and it in the past has been a great event, just a great thing to go to and watch and have a nice dinner, too. And, I thank everyone for coming in, I look forward to it, and let me present you with the plaques here.

Mr. O'Connor:

While you are doing that, Councilman, I just want to congratulate the "Y" for all the good work you do in the whole City, and especially, Gary, with my Alma Mater at Alderdice, we are very proud of you, everybody, and please keep up the good work. I am certainly impressed, not only with their athletic ability but the high grade average that all these students had.

The Chair:

I also want to chime in, just before you take the picture, real quick and congratulate all of you for all your hard work. We talk about youth programs, we have youth programs through the City, we often debate how much funding they should get and what those programs ought to be but at the same time the YMCA is doing it every single day, and you have so many good programs for under-privileged youths and youths throughout the City of Pittsburgh, that I think you really deserve our commendation. So, congratulations. Thank you all very much.

Our next proclamation is from Councilman Bob O'Connor to be read into the record.

MR. O'CONNOR PRESENTS

No. 561 **WHEREAS**, the Catholic Youth Association of Pittsburgh, Inc., was founded in 1925 as a non-sectarian counseling service for teenage boys, and later expanded its services to include people of all ages; and,

WHEREAS, the Catholic Youth Association now serves hundreds of thousands of people each year, as a Multi-Purpose Social Service Agency providing transportation, counseling, education and craft classes, and a variety of additional services to the people of Pittsburgh; and,

WHEREAS, the Catholic Youth Association annually honors volunteers in our City who have generously contributed their time and talent to Pittsburgh, and this year the following individuals will receive awards:

1994 Art Rooney Award - John E. Connelly
John E. McGrady Award - James S. Withers, M.D.

Bob Prince Award - Myron Cope, Sportscastr
Nick Cardello Senior Citizen of 1994 - Mike Calabrese

Nick Cardello Youth of 1994 - Eric Chancy

WHEREAS, the 1994 Art Rooney Award will be given to John E. Connelly, for his outstanding education initiatives, generous financial support of many organizations, including the Catholic Youth Association, and his efforts to bring notoriety to the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Catholic Youth Association, and all of the award recipients, for their tireless efforts to improve the lives of Pittsburgh citizens.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 8 to May 14, 1994 to be "Catholic Youth Association Week" in the City of Pittsburgh.

MR. O'CONNOR moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Our next order of business is a proclamation, two of them, by Councilman Christopher Smith.

Mr. Smith:

Is Joanie Rabinowitz in the house?
Joanie? Is someone coming to accept the WIC?
Okay, Rosalind Walker and --

The Chair:

All the WIC people.

Mr. Smith:

Good to see everyone.

MR. SMITH PRESENTS

No. 562 **WHEREAS**, since 1974, WIC, the Special Supplemental Food Program for

women, children and infants, has improved the nutritional well-being of millions by improving their intake of iron, vitamins, minerals and protein; and

WHEREAS, the WIC program actualizes the public policy that our nation's children need good nutrition to grow healthy bodies and strong minds, and WIC emphasizes nutrition education, health assessment, breastfeeding counseling and referral to other healthcare programs; and

WHEREAS, through the foresight and concern of nutritionist Linda Evans and Dorothy Kolodner, in 1973 Allegheny County recognized the need for supplementing the diets of pregnant women, infants and children, and thus received the first national WIC grant in the mid-Atlantic region of the U.S.; and

WHEREAS, 25,000 people participate in Allegheny County, and nationwide six million women and children participate; and,

WHEREAS, WIC has proved highly effective by decreasing the risk of low birthweight and the incidence of anemia, by reducing medical costs, and by helping young babies and children develop normally; and

WHEREAS, 15 states, including Pennsylvania, supplement WIC. Pennsylvania's \$17 million dollar supplement is the second highest in the nation and represents 13% of the total cost that Pennsylvania spends for WIC, with \$12 million annually spent in Allegheny County through WIC vouchers. **WHEREAS**, the current staff of WIC are to be commended for their dedication and commitment as service providers.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Pittsburgh joins the rest of the nation in celebrating WIC's 20th birthday at the Hill House on May 19, 1994, and hereby declares May 19, 1994 as WIC DAY in the City of Pittsburgh.

MR. SMITH moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Mr. Smith:

Thank you. I think that it is very important that we stress the need for the continuation of these programs that service, and I am very proud to see such a diverse group and a special friend of mine that I have known since back in the 1950s, so --

The Chair:

I don't know if she wants to come up now.

Ms. Walker:

Do we go back that far? Oh, no.

Mr. Smith:

Yes, actually we were in Kindergarten together. Rosalind Walker. Congratulations, and say a couple of words about the program.

Ms. Walker:

I am Rosalind Walker; I am the Outreach Coordinator for the Allegheny County WIC Program, and I just want to thank the City of Pittsburgh for recognizing the WIC Program, but I really think that the other people that I am up here with, they deserve to say something also. The Director of the WIC Program, Joyce Dodge, is here also.

Ms. Dodge:

I would like to say "thank you" to the City of Pittsburgh for recognizing the WIC Program. We are housed in the Allegheny County Health Department, but since we now have such a positive, cooperative working relationship between the City and the County, we look forward to continuing this relationship. Our WIC Program is housed here in Downtown Pittsburgh but we have clinics all over Allegheny County. Half of our clinics are located within the City of Pittsburgh and approximately 13,000 of our WIC Program participants live in the City of Pittsburgh. It is a wonderful program. President Clinton is proposing full funding for the WIC Program by the end of fiscal year 1996, and we do have room for WIC to grow here in Allegheny County and the City of Pittsburgh. Thank you very much for having us here today.

Mr. Smith:

Well, thank you very much. Let's get a shot of the group. I was one of those well fed WIC babies.

The Chair:

Thank you all very much. I also do want to mention that Joyce Dodge's son worked in my office as an intern last term and did an excellent job.

Mr. Smith:

It is a small City.

Could Deborah Tucker, Rhonda Galloway and John Pace from PBA come forward. I haven't bitten anyone in almost a week, come on over.

MR. SMITH PRESENTS

No. 563 **WHEREAS**, Pittsburgh Black Action Incorporated, The Second Step, has been providing alcohol and other drug treatment in Pittsburgh and Allegheny County for the past 25 years; and

WHEREAS, in October 1991, a grant was awarded to PBA, Inc., The Second Step, from the Center for Substance Abuse Treatment (C-SAT), to provide on-site drug treatment in public housing communities, with the opening of the first Satellite Treatment Facility in the North View Heights community; and

WHEREAS, in 1993 PBA was awarded a grant from the City of Pittsburgh Housing Authority Drug Elimination Program to provide on-site treatment services under the authority's existing Drug Elimination Program; and

WHEREAS, on May 20, 1994 the residents and service providers of the public housing communities of Allequippa Terrace, Addison Terrace and Bedford Dwellings, will celebrate the opening of PBA's fourth satellite on-site drug treatment center; and

WHEREAS, this new facility will be located at 357 Burrows Street, #889, and will provide outpatient drug treatment, intensive outpatient/partial hospitalization, individual counseling, intake and evaluation services, family

counseling, methadone maintenance, referral, after care and follow-up.

NOW, THEREFORE, BE IT RESOLVED, that PBA, Inc., The Second Step, will provide treatment services to all participants in this innovative program; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh congratulates PBA, Inc., The Second Step, for 25 years of service to its citizens and declares Friday, May 20, 1994 as PBA, Inc., The Second Step Open House Day at Allequippa Terrace in the City of Pittsburgh.

MR. SMITH moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Mr. Smith:

Thank you. It is just very nice -- and, here's another friend that would go back into the early days -- but it is just very nice to be able to present this. That you have been offering services to help our community for a quarter of a century, and you are in the business for putting yourself out of business. So, I appreciate all of your effort, and if you would be so kind as to say a few words.

Ms. Galloway:

Good morning. My name is Rhonda Galloway; I am the Community Liaison for PBA, The Second Step. I would like to thank Councilman Smith for recognizing PBA in his district as an agency that is fighting the war on drugs, and we take this very personally. And, again, I thank Councilman Smith and the City of Pittsburgh. Thank you.

Ms. Tucker:

I would just like to thank the City of Pittsburgh on behalf of the Board of Directors of PBA, Incorporated, The Second Step, Paul Ingram, Executive Director, Bruce Douglas, Executive Assistant and Director of On-Site Treatment Programs, we thank you very much. As you know, the challenges that are facing our communities that involve drug and alcohol abuse and related

problems is great. So, we look forward to the challenge, and we look forward to working with the City of Pittsburgh Housing Authority Drug Elimination Program, service providers in the Hill District area and residents. So, thank you very much.

Mr. Pace:

Hi everyone. My name is John Pace, Counselor/Case Manager. Everything I wanted to say Ms. Tucker just said before me, and I just want to thank Council and especially Councilman Smith. Thank you.

The Chair:

Thank you. Thank you for coming down.

Mr. Smith:

Just quickly, if you would indulge me. I have two resolutions to be read into the record, but I just wanted to mention that the Centre Avenue YMCA is being declared an historical landmark in the City of Pittsburgh, and I am sending an open invitation to all citizens who may have passed through, passed by or benefited from the programs, to stop by on May 22nd for the plaque dedication, and hopefully an even greater revitalization of the "Y". And, I was very happy to see that the programs that were honoring the youths City-wide were given a proclamation. Thank you.

The Chair:

Thank you, Councilman. And, you have another to be read into the record, I believe?

MR. SMITH PRESENTS

No. 564 **WHEREAS**, the Centre Avenue YMCA has always been an historic landmark in the hearts and memories of the Hill District community, for it was founded as the result of expressed needs of the African-American community; and

WHEREAS, the Centre Avenue YMCA was the first African-American YMCA in Pittsburgh; it was organized as an independent group in August 1893 at 228 Wylie Avenue, one of Pittsburgh's oldest and historic neighborhoods; and

WHEREAS, in 1906 a determined group of African-American males from the Hill District community were inspired to purchase a three story building at 1847 Centre Avenue to plan program activities for African-Americans, modeled after "the white only" YMCA in Pittsburgh. The Centre Avenue YMCA was called and known as the "Colored 'Y'"; and

WHEREAS, because the "Y" flourished and met the needs of citizens, a new and larger building was constructed at Centre Avenue and Francis Street. The new brick building was constructed to accommodate 2200 African Americans. It was the result of a generous donation of \$250,000 by Julius Rosenwald, a Chicago Jewish philanthropist; and

WHEREAS, the Centre Avenue YMCA served as a recreational facility for African-Americans in the City of Pittsburgh. It was a dormitory for students who attended the University of Pittsburgh and the residence for the Railroad Pullman Porters, for they were not permitted accommodations in "white only" facilities. It was a cultural and social center where culture of African-Americans was shared. The Great Metropolitan Opera Star, Miriam Anderson, shared her gifts of song and George Washington Carver, Adam Clayton Powell and countless others have visited this place; and

WHEREAS, the history of this building and its service to the African-American community must be preserved for posterity. All African-Americans in the City of Pittsburgh are honored that Preservation Pittsburgh is committed to preserving landmarks and the culture of ethnic groups.

NOW, THEREFORE, BE IT RESOLVED, that Preservation Pittsburgh bestow historic status on the Centre Avenue YMCA, and declare it as an Historic Landmark for all of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh continues to support and preserve historic landmarks in all neighborhoods of the City, and hereby declares Sunday, May 22, 1994 as the Centre Avenue YMCA Day in the City of Pittsburgh.

MR. SMITH moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. SMITH PRESENTS

No. 565 **WHEREAS**, on Saturday and Sunday, May 21st and 22nd, 1994, the congregation for Friendship Community Church in West Oakland in the City of Pittsburgh will celebrate the tenth anniversary of their Pastor, Reverend Paul E. Roberts, Masters of Divinity; and

WHEREAS, Reverend Roberts received his Masters of Divinity Degree from Princeton Theological Seminary, was called by Friendship Community Church to be its Pastor, and was ordained in 1984; and

WHEREAS, Reverend Roberts has demonstrated his dedication to the congregation and love for each member through sacrificial love and devotion to the high calling to bring the love of Jesus Christ to the poor and oppressed; and

WHEREAS, Reverend Roberts has labored tirelessly on behalf of the community of West Oakland and Friendship Community Church, sharing the vision for the neighborhood and the role of the church and of Christians in the struggle for justice and racial reconciliation in the City; and

WHEREAS, Reverend Roberts has not labored alone, but has been joined in this work by his wife, Lisa Lynn Roberts, and their children, Jeremy, Nicole and Philip;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the Reverend Paul E. Roberts on the celebration of his Tenth Pastoral Anniversary at the Friendship Community Presbyterian Church of West Oakland.

MR. SMITH moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

The Chair:

I have a proclamation as well. Would the paramedics and medical directors come up, please.

If anybody suffers any malady in Council Chambers this morning, we have got you covered. Come on up. I know there isn't much room but hopefully we will get everybody in because you all deserve to be honored this morning. It is my honor and privilege to present the following proclamation.

THE CHAIR (PRES'T PRO TEM) PRESENTS

No. 566 **WHEREAS**, the members of the Bureau of Emergency Medical Services devote their lives to saving the lives of others; and

WHEREAS, Emergency Medical Teams consist of Paramedics, Emergency Physicians, First Responders and Telecommunications Officers; and

WHEREAS, The fraternal Association of Professional Paramedics promotes the improvement of pre-hospital medical care through practice and research; and

WHEREAS, the people of Pittsburgh benefit daily from the knowledge and skills of these highly trained individuals; and **WHEREAS**, the designation of Emergency Medical Services Week will serve to educate the people of Pittsburgh regarding Emergency Medical Services.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend the good work of the Emergency Medical Teams; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares May 15 - 22, 1994 as Emergency Medical Services Week in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. SMITH seconded the motion.

Which motion prevailed.

The Chair:

I think that it is very important that we take a moment to praise our paramedics, and I think we have virtually all of our paramedics here this morning. No? There are actually about 150, I

think, a little fewer than 150 paramedics and of those they make 65,000 responses per year by these fewer than 150 paramedics, 65,000 medical calls per year, which is absolutely fantastic, and as all of us know here, they are true professionals, I happen to have had a glimpse of that a couple of months ago -- where is Tom Huerbin? There he is. -- when I went on an ambulance in the West End with Tom Huerbin and a couple of other paramedics; in fact, we almost delivered a baby, didn't we, Tom? I know that the paramedics do that all the time, I do not. But, I did see that we have true, true professionals in our Emergency Medical Services, and I just want to take a moment to congratulate each and every one of you, you're an integral part of the Public Safety System of the City of Pittsburgh, and just wish you the best of luck on EMS Week and I am glad that we take a week to congratulate you.

Now, I am sure that I do not have all of the names here, I thought I did but I think some others came in. Why don't I at least acknowledge the people who were here when we took the roll, and that is certainly our Chief, Robert Kennedy, for being here, Assistant Chief, Douglas Garretson, Assistant Chief, Robert Full; we also have the President of the Fraternal Association of Professional Paramedics, Tom Huerbin, who also delivers babies quite well, Tom Broderick, the Vice President of the Paramedics Union; we also have William Miller, Robert McCaughan, John Moon, John Jagielski, Sheldon Williams, Jeff Meyer, Thomas Jamison, Kim Long, Dave Naples, Anthony Schrader, Myron Rickens, Tom Szymanski, Lawrence Jones, John Dombrowski, Rob Carr, Roy Cox, and we also have our doctors here, the Medical Directors, that includes, of course everybody knows Dr. Paul Paris -- where are you, Paul? Right there. Now, you should be the one I could figure out, you don't have the uniform on. -- Dr. Paul Paris, Dr. Vince Masesso, Dr. Ron Roth and Dr. Ted Delbridge. If I missed some of you, my apologies, but I want to congratulate each and everyone of you.

Chief, can you come up, please. Congratulations. Have a few words.

Chief Kennedy:

Thank you, Councilman. That was a great job with all of those names. You even got Bob McCaughan right, which hardly anyone gets right.

On behalf of the Bureau I would like to thank Council for this recognition today. Mayor Tom Murphy has also issued a proclamation for this week recognizing the fine work of the City paramedics.

This is our 19th year. Next year will be a very big year for us, it will be our 20th and we hope to have some major celebration going with the help of the Mayor's Office and Council.

I think the thing to key on this week is the awareness of the paramedic services that we offer, and I know Councilman Hertzberg has been out with us, Bob O'Connor, Councilman O'Connor has been on so many calls with us, and just to be aware of the fine work that the paramedics do. 65,000 calls is an extremely large number, 40,000 of which are transports. I had hoped today to share with you some of the "thank you" notes we get from the citizens that we serve.

Unfortunately, I started reading them and I could not whittle them down to two, but it is just what the paramedics mean to the citizens when they are in trouble, they have a loved one sick, they're delivering a baby at home by themselves, and just day in and day out, through the blizzards of this year, through the cold weather, the paramedics were always there, we did not miss a call, and I am extremely proud to be associated with this group, extremely honored to continue to be their Chief, and very pleased that City Council and the Mayor feels that this is one City that continues to offer an important service, that is pre-hospital care, medically directed rescue services to the citizens and the residents. Thank you very much.

The Chair:

Tom Huerbin, the President of the Paramedics Union, please.

Mr. Onorato:

On the North Side.

Mr. Huerbin:

Yes. My name is Tom Huerbin; I am the President of the Fraternal Association of Professional Paramedics. And, to Councilman Cohen and his fellow Councilmen, I would like to

thank you for this recognition during EMS Week. It is usually not until we are in the streets or in the homes or businesses around Pittsburgh, that the true impact of the state of the art Emergency Medical Service is realized. The paramedics are the sole providers of advanced emergency medical care and the rescue services within the City of Pittsburgh. As everyone has been saying, last year in 1993, with less than 150 paramedics, we responded to over 65,000 calls for emergency assistance, and most likely we will exceed that this year. Pittsburgh EMS is a leader in emergency medical services and, in fact, a pioneer in some aspects of pre-hospital medicine. We have been doing this for, again, almost 19 years -- well, 19 years this year, next year we will enjoy our 20th anniversary. That is 20 years of making tomorrows happen for you, the residents and the visitors of the City of Pittsburgh. Thank you.

The Chair:

Well said. Tom Broderick, Vice President.

Mr. Broderick:

Thank you. Good morning, my name is Tom Broderick, I am the Vice President of the Paramedics Union, I am also a Crew Chief on Rescue One, which is one of the two specialized rescue vehicles that the EMS Bureau operates. I am also a 19-year veteran of the EMS Bureau, and in those 19 years a lot of things have changed. It has become a highly specialized technical job, sometimes a dangerous job, but one thing in those 19 years that has not changed is the support of the Council people and the residents of the City of Pittsburgh and we appreciate your support and your help. Thank you.

The Chair:

And last but certainly not least, is the Medical Director, Dr. Paul Paris. It is so important, obviously, to have doctors on assignment to the paramedics for complications and just to be there in case something comes up that the paramedics may not be able to handle or need medical assistance with. So, Dr. Paul Paris, you have been doing this for years, and I want to congratulate you.

Dr. Paris:

On behalf of the Medical Directors of the system, Dr. Roth, Masesso, Delbridge, I would like to express that it is really an honor for us and a privilege to work with these professional individuals. You know, while our sports teams have their ups and downs, our paramedics operate at a championship level, 24 hours a day, 365 days a year. And, I would like to thank Mayor Murphy, Council, for recognizing these dedicated, caring healthcare providers. Thank you.

The Chair:

Mr. O'Connor.

Mr. O'Connor:

Not only as a Councilman, but as a resident of the City, I want to thank all of you for the outstanding job you did, and I think you know and I have said enough on 101. Everyday I seem to hear -- of the 65,000 calls I think the people in Pittsburgh do realize what a good job you do and how fast you do it, too. And just the other night a couple nights ago I was in lower Greenfield and I saw a paramedic truck turn in with his lights, and he was turning around, and I thought, well, gees, he's lost, and I ran over -- I parked my car and jumped out and said, are you lost? He said, no, I'm just -- I saw within 30 seconds another -- I think you were in the van, or the big emergency thing. In other words, what he was doing was meeting, and he jumped out and helped, one of the doctors. So, I do not think people realize that you actually have doctors that will jump into a -- on the way to the hospital. So, it was just outstanding to watch it done and the timing and the teamwork you have besides all the just normal calls you make. So, I, just on behalf of all the residents, want to thank you and congratulate you for an outstanding job.

The Chair:

Thank you. Mr. Hertzberg and Mr. Ricciardi.

Mr. Hertzberg:

Thank you, President Cohen.

And, I did go out on a shift in my area in the western part of the City earlier this year and I am convinced that emergency medicine in the City of Pittsburgh is definitely the best in this region

and probably the best level of service in the emergency medicine field that you can get in the entire country and the world. So, I salute all of you very much.

The Chair:

Thank you. Mr. Ricciardi.

Mr. Ricciardi:

Thank you, Mr. Cohen. I also would like to thank and commend the entire emergency medical team and especially our paramedics for your fine work. I think what is important to point out, yes, it is true that you went out on 65,000 calls but also some of those calls were multiple help and service. For example, if you go to an accident and there is more than one person involved, or even maybe transportation, such as an auto bus, that is only counted as one call, but look at all the people you are treating there. So, again, I congratulate and thank all of you.

The Chair:

Thank you all very much. In my four and a half years on Council, I have never not once gotten a complaint about our paramedics, and that is 65,000 times four and a half, that is a lot of calls and I have not gotten one complaint, and I think you guys and women do a terrific, terrific job. Congratulations. Let's get a quick picture here.

Thank you all.

I have one other to be read into the record. Thank you.

THE CHAIR (PRES'T PRO TEM) PRESENTS

No. 567 **WHEREAS**, Eartha Kitt has enjoyed an enduring career spanning theater, film cabaret, television and the recording industry; and

WHEREAS, Ms. Kitt is one of only a handful of performers to be nominated for The Tony Award, The Academy Award, The Emmy Award and The Grammy Award; and

WHEREAS, Ms. Kitt has performed worldwide in over 100 countries singing in ten different languages; and

WHEREAS, Ms. Kitt has been and continues to be a vocal advocate of progressive causes in our Country and abroad; and

WHEREAS, Eartha Kitt will be performing with the Pittsburgh Symphony Pops in a series of concerts from May 20 through May 23rd.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Eartha Kitt on her outstanding career and declares May 22, 1994 Eartha Kitt Day in the City of Pittsburgh.

MR. RICCIARDI moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much, Linda. At this time we move to the presentation of papers. Mr. Hertzberg, would you be so kind as to present the Public Safety papers this morning, please.

MR. HERTZBERG FOR MR. COHEN PRESENTED

No. 568 Resolution requesting authorization to issue a warrant to Pittsburgh Pro Bicycles in the amount of \$1,248.00 in payment of four mountain bikes for the Police Bureau's Mountain Bike Patrol. (Payment for these bikes is chargeable to and payable from Code Account PSTA, Index Code 253450, Department of Public Safety, Bureau Administration).

Which was read and referred to the Committee on Finance.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Which motion prevailed.

MR. CUSICK PRESENTED

No. 569 Resolution providing for authorization to construct public sanitary sewers to serve fifteen (15) existing homes along Glasgow Street, Sacramento Street, Merwyn Avenue, Conestoga Avenue, Oterson Street and Washville Street in the 20th Ward of the City of Pittsburgh.

Which was read and referred to the Committee on Engineering and Construction.

MR. O'CONNOR PRESENTED

No. 570 Resolution providing for the authorization of the Mayor, the Director of the Department of General Services, on behalf of the City of Pittsburgh to enter into an Agreement, in form approved by the City Solicitor, to lease from the Beechview United Presbyterian Church, Owner, a parcel of land and building located at 1621 Broadway Avenue, Pittsburgh, Pennsylvania 15216, in the 19th Ward, for the purpose of a Community Oriented Police Mini Station.

Which was read and referred to the Committee on General Services.

MR. ONORATO PRESENTED

No. 571 Communication from Barbara M. Parees, Director, Dept. of Personnel and Civil Service, requesting approval for John Turyan (a non-city employee) Chair, Pittsburgh Private Industry Council, to travel to Hershey, PA to attend the 10th Annual Pennsylvania Service Delivery Area Employment, Education & Training Conference from June 1 to 3, 1994. Total cost not to exceed \$909.00, chargeable to and payable from the JTPA-I Trust Fund.

Also,

No. 572 Communication from Barbara M. Parees, Director, Dept. of Personnel and Civil Service, requesting approval for Mary Ann Denham and Jeanine Prgomet (non-city employees to travel to Hershey, PA to attend the 10th Annual Pennsylvania Service Delivery Area Employment Education & Training Conference on June 1, 1994. Total cost not to exceed \$905.00, chargeable to and payable from the JTPA-I Trust Fund.

Which were severally read and referred to the Committee on Finance.

Also,

No. 573 Resolution amending Resolution No. 273 approved May 3, 1994, entitled, "Resolution providing for an Agreement or Agreements with various community organizations for operation/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$135,200.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation," by deleting St. Leo's Athletic Assoc. for \$3,000.00, and adding North Side Saints for \$3,000.00.—(SPONSORED BY MR. ONORATO)

Which was read and referred to the Committee on Parks and Recreation.

MR. RICCIARDI PRESENTED

No. 574 Resolution providing for a Cooperative Agreement between the City of Pittsburgh and the Borough of Brentwood in connection with the milling and paving of Churchview Avenue between Sankey Avenue to Waidler Street and providing for the payment thereof by the Borough to the City of the Borough share of the costs thereof. At a cost not to exceed \$6,612.00.

Also,

No. 575 Resolution granting unto Joyce Kaloz with an address at 209 Marland Street, Pittsburgh, Pennsylvania 15210, her successors and assigns, the privilege and license to construct, maintain and use at her cost and expense, a fence, wall and wood deck in the right-of-way of Marland Street in the 30th Ward, 3rd Council District of the City of Pittsburgh.

Also,

No. 576 Resolution granting unto Property Ventures, LTD., 330 Grant Street, Pittsburgh, Pennsylvania 15219, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a ring bus vault (electrical) in a portion of the sidewalk area along Seventh Avenue in the 2nd

Ward, 6th Council District of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

MR. SMITH PRESENTED

No. 577 An Ordinance establishing the Highland Avenue Business Improvement District, identifying the boundaries thereof, specifying the improvements to be undertaken, the costs and financing of the improvements, the method of assessing benefited properties and the method of payment of the assessments.

Also,

No. 578 Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh ("URA"), designating URA as the City's agent for construction of the Improvements in the Highland Avenue Business Improvement District and providing for the payment of the cost thereof.

Also,

No. 579 Resolution authorizing and directing the City to create a Special Trust Account, to be designated as the Highland Avenue Business Improvement District Trust Account, for the deposit of all payments received from assessments on benefited properties in the Highland Avenue Business Improvement District and authorizing payment of the monies deposited therein to the Urban Redevelopment Authority of Pittsburgh.

Also,

No. 580 Resolution approving a conditional use exception under Section 993.01(a)A(54) of the Pittsburgh Code, Title Nine, Zoning Article V, Chapter 993, to the Stadium Authority for authorization to construct a new electronic message sign of 1200 sq. ft. on the roof of the Three Rivers Stadium above Gate "C" on property zoned "C6-B" Downtown Riverfront District B, 22nd Ward.

Which were severally read and referred to the Committee on Planning, Housing & Development.

THE CHAIR (PRES'T PRO TEM) PRESENTED

No. 581 Resolution appointing Charles Dickinson, 3326 Kathy Drive, Pittsburgh, Pennsylvania, 15204 to the Comprehensive Municipal Pension Board of the City of Pittsburgh for a term of four years or their earlier termination as members.

Also,

No. 582 Resolution appointing Deputy Mayor Sal Sirabella, 699 Stonegate Drive, Oakdale, Pennsylvania, 15071 to the Comprehensive Municipal Pension Board of the City of Pittsburgh for a term of four years or their earlier termination as members.

Which were read.

The Chair:

Members, these two appointments do not need Council approval, but we do need a motion to receive and file, please.

Mr. Smith:

Move that we receive and file.

MR. O'CONNOR seconded the motion.

The Chair:

Thank you. All those in favor, signify by saying "aye"? Opposed? The ayes have it.

WHICH MOTION PREVAILED.

The Chair:

We now move to Unfinished Business.

UNFINISHED BUSINESS

The Chair:

Are there any motions under Unfinished Business or any special committees? Mr. Smith.

Mr. Smith:

Yes. To my fellow colleagues, you are well aware that we are about to hold a public hearing scheduled next Wednesday, May 25th, at 2 p.m., in these chambers, and I am placing the motion and hope that I will get support, to televise this; there is much misinformation out in the general public about what this Council would like to do with the Special Election, and I think it behooves us to get the information out to as many citizens as possible; this is the third Special Election in less than 18 months, and I think that we need to assist the general public in understanding what is going on.

So, I am placing a motion on the table that we televise the public hearing on the vacancy in the 9th Council District.

MR. RICCIARDI seconded the motion.

The Chair:

It has been motioned and seconded to televise that public hearing. Mr. Cusick and then Mr. Hertzberg.

Mr. Cusick:

Mr. President, I just would like to commend Councilman Smith for his actions here today, and I would like to second his motion.

The Chair:

We will have seconds, thirds and fourths. Mr. Hertzberg.

Mr. Hertzberg:

Thank you, Mr. President. I agree with Mr. Smith. I would be happy to go along with televising that public hearing. I would also request that we send a communication to the Solicitor reminding her of the opinion that we have requested and ask that it elaborate on the entire procedure; there does seem to be a lot of misperception out there, because my understanding of this election is that it -- whatever election, whether it be a Special Election held before the normal November election or whether it is held in November, it will be the equivalent of the General Election, that is, there won't be a primary type of

election here, you won't have Democrats running against each other, you will have only one Democratic candidate and only one Republican candidate and only one -- or however many other parties would qualify to be on the ballot, and I think there is a lot of misconceptions out there about what exactly will go on in this election, and I think if we can have that all in final form before this hearing, it will be very helpful to the people that are going to speak there, because I think a lot of them are not really sure of what is going to go on and they are going to come in here and they are going to talk and it may add even further to the confusion.

The Chair:

I agree. Any other discussion on the motion to televise the public hearing on the Special Election in Council District No. 9?

All those in favor, signify by saying "aye"? Opposed? The ayes have it.

WHICH MOTION PREVAILED.

The Chair:

That hearing, again, is on Wednesday, May 25th at 2 p.m., I believe, and if the Chief Clerk could send down, perhaps, another letter to the City Solicitor asking that we have her opinion by May 25th, we would appreciate it. Thank you.

Any other Unfinished Business? Mr. Hertzberg.

Mr. Hertzberg:

I think in one of our first meetings this year you mentioned the fact that there were some openings for the City's Ethics Commission. Can you report, have those been filled; do we now have a full complement on there?

The Chair:

I do not believe we do have a full complement yet, Mr. Hertzberg. The City Council did approve a new Ethics member at the end of last year, before you came on, and I do not believe that person has been sworn in by the Mayor's Office yet, and we have asked the Mayor's Office to swear

her in, her name is Janet Berkowitz. That brings, I believe, to the best of my recollection, that brings the Ethics Commission up to, I believe, three members. So, there still are vacancies. If people have suggestions or recommendations to fill those vacancies, that would be very helpful.

It was a pretty complicated formula that we came up with and the way it worked was that the Mayor had the authority to directly appoint two members to the Ethics Commission, that Council would be involved in filling the other three by recommending nine people for those three positions, from which the Mayor would pick the three nominees. So, it depends on whether or not it is a Mayor's appointee or a Council appointee. And, this is just to my recollection, but my recollection is that of the two remaining positions, that one is a Council appointee and one is a Mayoral appointee, but that is just my recollection and I have to check on that.

Mr. Hertzberg:

I would appreciate that. I know I submitted a name in January at some point, yes.

The Chair:

What happened to that name, do you know?

Mr. Hertzberg:

That is what I am wondering.

The Chair:

Linda, do you know whether that name has been submitted over to the Mayor's Office yet?

Ms. Wasler:

No, not that I know of.

The Chair:

We will check on that. Thank you for bringing it up.

Mr. Hertzberg:

Thanks.

The Chair:

I am only here as a temporary basis, you see, so I don't know these things.

REPORTS OF COMMITTEES

The Chair:

We move to Reports of Committees. We begin with the Committee on Finance, Mr. Dan Onorato.

MR. ONORATO PRESENTED

Bill No. 583 Report of Committee on Finance for May 11, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 489

A Resolution entitled, "Resolution repealing Resolution No. 1044, effective October 29, 1981, entitled, "Providing for the issuance of a warrant in favor of Duquesne Light Company in the amount of Six Thousand Eight Hundred Forty-Two Dollars and Sixty-One Cents (\$6,842.61) for the City's share of materials furnished and work performed in accordance with the Public Utilities Commission Order of May, 1978, Elizabeth Street Bridge; and providing for the payment thereof."

Which was read.

Also,

Bill No. 490

A Resolution entitled, "Resolution repealing Resolution No. 433, effective June 16, 1988, entitled "Providing for the issuance of a warrant in favor of Disposable Waste Systems, Inc., in the amount of \$3,393.63 for the repair of a disposable waste system at the Pittsburgh Zoo; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 491

A Resolution entitled, "Resolution repealing Resolution #49, effective February 15, 1983, entitled "Providing for the issuance of a warrant in favor of Equitable Gas Company in the amount of Ten Thousand Five Hundred Eighty Dollars and Sixty Seven Cents (\$10,580.67) in payment for the City's share of materials furnished and work performed on South Aiken Avenue Bridge and Herron Avenue Bridge; and providing for the payment thereof."

Which was read.

Also,

Bill No. 492

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Michael Facchiano Contracting, Inc., in the amount of \$51,300.02 as final payment of an Emergency Contract for the Construction of a Retaining Wall on Steuben Street; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 493

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pugliano Construction Company in the amount of \$17,388.61 as final payment of an Emergency Contract for the Construction of a Retaining Wall for Calera Street, located in the 31st Ward, 5th Council District; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 504

A Resolution entitled, "Resolution providing for the issuance of a \$850.00 warrant in favor of Zionist Organization of America in settlement of

claim for sidewalk damage, charging the same to Code Account No. 46, Judgments.

Which was read.

Also,

Bill No. 505

A Resolution entitled, "Resolution providing for the issuance of a \$954.00 warrant in favor of Dorothy Graham in settlement of claim for automobile damage, charging the same to Code Account No. 46, Judgments."

Which was read.

Also,

Bill No. 506

A Resolution entitled, "Resolution providing for the issuance of a \$1,305.00 warrant in favor of Pronto Enterprise for automobile damage, charge to Code Account No. 46, Judgments."

Which was read.

Also,

Bill No. 507

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$9,000 to Richard E. Barron and Elizabeth Y. Barron, as parents and natural guardians of Jason R. Barron, a minor c/o Donald J. Strunk, Esquire, McCrady & Nicklas, Third Floor, McCrady-Nicklas Building, 304 Ross Street, Pittsburgh, PA 15219 in full and final settlement of an alleged accident occurring at the Pittsburgh Zoo in the City of Pittsburgh on or about July 1, 1990, charging the same to Code Account 46, Judgments, Index Code 004606."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

The bills are now ready for final action.

All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Cohen
Mr. Onorato	(Pres't Pro Tem)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

MR. RICCIARDI PRESENTED

Bill No. 584

Report of Committee on Public Works for May 11, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 497

A Resolution entitled, "Resolution providing for a Cooperative Agreement between the City of Pittsburgh and the Borough of West Homestead in connection with the milling and paving of Basic Avenue between Eighth Avenue and the City Line and providing for the payment thereof by the Borough to the City of the Borough's share of the costs thereof."

Which was read.

Also,

Bill No. 498

A Resolution entitled, "Resolution providing for a Cooperative Agreement between the City of Pittsburgh and the Borough of Crafton in connection with the milling and paving of Baldwick Road between Steen to Crafton

Boulevard and providing for the payment thereof by the Borough to the City of the Borough's share of the costs thereof."

Which was read.

Also,

Bill No. 499

A Resolution entitled, "Resolution providing for a Cooperative Agreement between the City of Pittsburgh and the Borough of Crafton in connection with the milling and paving of Crafton Boulevard between Baldwick Road and Noble Avenue and providing for the payment thereof by the Borough to the City of the Borough's share of the costs thereof."

Which was read.

Also,

Bill No. 500

A Resolution entitled, "Resolution granting unto Diocese of Pittsburgh, Cardinal Dearden Center, 4721 Fifth Avenue, Pittsburgh, Pennsylvania 15213, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a steel roof cornice, curved facade and a banner pole to extend over a portion of the right-of-way of First Avenue in the 1st Ward, 6th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 501

A Resolution entitled, "Resolution granting unto Integra Financial Corporation, 300 Fourth Avenue, Pittsburgh, Pennsylvania 15278, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a concrete handicap ramp in the right-of-way of Penn Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 502

A Resolution entitled, "Resolution granting unto Aussie's Downunder Pub and Grill, Gary J. McDonald, Owner, 4617 Liberty Avenue, Pittsburgh, Pennsylvania 15224, their successors and assigns, the privilege and license to construct, maintain and use at their cost and expense, a sidewalk cafe on a portion of the sidewalk on Liberty Avenue in the 9th Ward, 7th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 503

A Resolution entitled, "Resolution vacating Unnamed Way from Jennie Street in a northwest direction a distance of 88.26 feet to its terminus in the 19th Ward, 2nd Council District of the City of Pittsburgh."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills? Mr. O'Connor.

Mr. O'Connor:

I would like to have my comments brought forward on Bill 497, please.

(REMARKS -- SEE ADDENDUM)

The Chair:

Any other discussion? If not, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Smith
Mr. O'Connor Mr. Cohen
Mr. Onorato (Pres't Pro Tem)

AYES 7 NOES none

(MR. HERTZBERG ABSTAINING TO BILL NO. 501)

The bills having received the legally required number of votes are passed finally.

MR. SMITH PRESENTED

Bill No. 585

Report of the Committee on Planning, Housing & Development for May 11, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 512

A Resolution entitled, "Resolution renewing Resolution No. 774, approved by City Council on June 8, 1993 authorizing Arch Court, Inc., to construct a four-story structure to be located at 1310 Arch Street with 39 dwelling units for the elderly and one unit for a resident manager, 22nd Ward."---(COUNCIL DISTRICT NO. 6)

Which was read.

Also,

Bill No. 513

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$500,000 to the Pennsylvania Department of Community Affairs for The North Shore Redevelopment Project Area."---(COUNCIL DISTRICT NO.1)

Which was read.

Also,

Bill No. 514

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for The North Shore Redevelopment Project Area providing for the reimbursement by the City of the Commonwealth for any expenditures found by the Department of Community Affairs to be eligible and obligating the City to pay any local share of project costs."---(COUNCIL DISTRICT NO. 1)

Which was read.

Also,

Bill No. 515

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire of the City's Right, Title and Interest, if any, and to the publicly-owned property in the 18th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 14-N lots 34 and 35, under the Residential Land Reserve Fund."---(COUNCIL DISTRICT NO. 3)

Which was read.

Also,

Bill No. 516

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the publicly-owned property in the 3rd Ward of the City of Pittsburgh designated in the Deed Registry Office of the Allegheny County as Block 2-D Lot 303, under the Residential Land Reserve Fund."---(COUNCIL DISTRICT NO. 6)

Which was read.

Also,

Bill No. 518

A Resolution entitled, "Resolution approving execution of a Contract for Disposition by sale of land by and between the Urban Redevelopment Authority of Pittsburgh and Booker T. and Doris L.

Savior for the sale of Block 14-N Lots 34 and 35 in the 18th Ward of the City of Pittsburgh (SIDEYARD)."---(COUNCIL DISTRICT NO. 3)

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

The bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Cohen
Mr. Onorato	(Pres't Pro Tem)

AYES 7 NOES none

The bills having received the legally required number of votes are passed finally.

MR. CUSICK FOR MR. COHEN PRESENTED

Bill No. 586

Report of Committee on Public Safety for May 11, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 450

A Resolution entitled, "Resolution providing for an Agreement or Agreements with organizations for operational/administrative expenses; maintenance; supplies; and/or equipment for the benefit of the residents of the City of Pittsburgh. At a cost not to exceed Fifteen Thousand Five Hundred Dollars (\$15,500.00) chargeable to and payable from Code Account 1401, Index Code 140103, Miscellaneous Services, Bureau

of Administration, Department of Public Safety."

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Hertzberg	Mr. Ricciardi
Mr. O'Connor	Mr. Smith
Mr. Onorato	Mr. Cohen
	(Pres't Pro Tem)

AYES 6 NOES none

The bill having received the legally required number of votes passed finally.

MR. CUSICK PRESENTED

Bill No. 587

Report of the Committee on Engineering and Construction for May 11, 1994 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 495

A Resolution entitled, "Resolution amending Resolution No. 723, effective May 28, 1993, entitled "Providing for a Contract or Contracts or the use of existing Contracts for the Reconstruction of Grant Street/Liberty Avenue-Phase 3; providing for a Reimbursement Agreement or Agreements or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof," by amending the title to include Construction Inspection Services."

Which was read.

Also,

Bill No. 537

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and providing for the Purchase of Materials and Equipment in connection with Lighting and Electrical Repairs at Various Locations; and providing for the payment of the cost thereof. (This Resolution will provide authorization for on-going repairs and replacements as needed, including but not limited to Blair, Magee and Fineview, funds for these projects (\$70,000.00) are available in Code Account EC 94-145, 3-13-74-1480-94, Index Code #871681)."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Cohen
Mr. Onorato	(Pres't Pro Tem)

AYES 7 NOES none

The bills having received the legally required number of votes are passed finally.

The Chair:

We now move to Motions and Resolutions.

MOTIONS AND RESOLUTIONS

The Chair:

Does anyone have motions or resolutions this morning?

I have one, and that is that we read in the paper this morning that the Mayor is going to be acting on his own regarding the Youth Initiative Trust Fund, and I have to tell you that I was disappointed in some of the remarks that came out of the Mayor's Office yesterday, at least those that were reported in the Post Gazette, and that is that they were, quote, irritated at six weeks of delay by City Council, and then later in the article it said, "Administration officials have grown increasingly frustrated as the weeks have dragged on and Council members have gotten into protracted debates over whether the money should be spent on summer jobs for youths rather than long-range planning as the foundations intended."

That is not the recollection that I had about the Youth Initiative Trust Fund Bill; in fact, we pulled the resolution this morning and it was not a six-week delay at all. The bill first came before Council on April the 13th, and that was held at that time, but at the same time as it was held, my recollection at least, is, that we asked the Administration whether this would in any way jeopardize this money, we were told that it would not.

And, the reason that bill was held, to my recollection, is that we asked how this \$210,000.00 was going to be used, and we did not receive a clear answer as to how that money was going to be used. What we were told at that time was that it was thinking money, and I think I even moved for it to be held, and the reason is, I do not know what thinking money means, and we were not given a full explanation as to how this money was going to be used, and it was held.

We did then have a post agenda hearing on the whole issue of youth initiatives, with Councilman Hertzberg chairing, as well as myself, that included the Youth Initiative Trust Fund and the Summer Youth Employment Program, as well as the After School Program that was initiated by Councilman O'Connor and he is working with Councilman Hertzberg on. Once that post agenda

was completed the bill came back up, I said that I was ready to support it at that time; I do not recall any Council member, tell me whether I am wrong, but I do not recall any Council member saying that they were opposed to the foundations granting this money to the City; in fact, we were very welcoming of that money, but rather we wanted to know how it was being used.

At that time the Administration, not Council, the Administration asked for the bill to be tabled, and now apparently they plan to ignore Council and move ahead. I do not think that is right, I think that the characterization of the root of the bill was inaccurate and false and I think it ignores what the function of Council is, and one of our functions is an oversight function. When any money is spent by the City of Pittsburgh, Council has a role in approving that expenditure and in overseeing it, to see whether that money is spent well. All we asked for was, how is this money going to be spent, and we did not receive a clear answer to that question. So, if the Mayor's Office does not want City Council asking questions, then I am sorry to hear that, but that is our role, we have an oversight role.

There are two branches of government here, and I do not think that it is proper for them, instead of pushing this bill forward, to just pull the bill and decide to do it on their own. There are serious, serious issues at stake here, that includes what the programming should be for our youth, that includes providing hope for our youth at a time when there is a public safety crisis, and I do not think that it is in the best interest of both branches of government to ignore Council's function, and I think that is what happened here.

Let me just finish, if I may. As far as the Summer Youth Employment Program, and they are connected, both of these deal with youth initiatives, and as far as the Summer Youth Employment Program, I attended a Grant Makers meeting of the foundations and many community based organizations last week and they announced at that meeting that four foundations would be putting forth \$455,000.00 for summer youth employment for the summer of 1994, and I do want to take a moment and thank the foundations for that money. That is money that -- they have a limited amount of money, and for them to put that forward for the City's Summer Youth Employment Project, I think is terrific and I think that they

should be congratulated, and I think there has been a strong misunderstanding about what Council's role in this process has been. Somehow or other the foundations think that Council criticized them for providing this money. That is absolutely not the case. I do not remember any Council member opposing this money, either the Youth Initiative Trust Fund money or the Summer Youth Employment money; in fact, I think that we welcomed it.

The problem is that our Summer Youth Employment Program is too small. Last year the City was able to employ 1600 youths, through what I think now is a good network of community based organizations that are hiring those youths, this year we are only going to be able to afford approximately a thousand. That is the root of the problem, and we are going to have to move stronger next year to make sure that we get more jobs available to our youths. Because at that meeting a couple people stood up, from community based organizations and said, I have the ability -- we have the ability -- like Breachmenders in West Oakland, for example, in Councilman Smith's District, or the Bloomfield-Garfield Corporation, stood up, and they said they had a number of positions, a number of jobs that they could fill. Breachmenders, I think, was 40 jobs and the City is only able to provide 15. That is 25 kids that go without an opportunity this summer and go without a chance for hope, and I think that is what the real issue here is.

Mr. Ricciardi.

Mr. Ricciardi:

Thank you, Mr. Chair and colleagues. Mr. Cohen I think your ending remarks really hit home, and that is the most pressing issue this summer will be doing our very best to work with our youths to make sure they are properly placed in summer jobs, not just for that extra few dollars but for the expertise and skills, hopefully, they learn for their future.

I did not have a chance to read the Pittsburgh Post Gazette, so I do not know the contents or the context of those remarks, and I did not attend any press conference yesterday. Only from my point of view I am saying that I in no way feel slighted that we are not going to be part of the spending of the \$200,000.00, which is not tax dollars but really

foundation dollars, they were contributed to the City of Pittsburgh. I

believe that the Mayor of this City, by the position he holds, that he has certain discretionary powers and discretionary responsibilities, and I believe that the foundations have entrusted him to spend these dollars, that I feel comfortable in that happening and I will not criticize that move.

Obviously, again, I do not know the dynamics of all this and how the foundations have communicated with the Mayor's Office in terms of the Youth Trust Initiative, a fund being set up through the City, or what information the foundations were receiving probably through the media of our position. As you have stated, Mr. Cohen, I am just mentioning this, that their perception might have been that maybe Pittsburgh City Council is belaboring or slowing down the process and maybe the dynamics were that they asked the Mayor's Office to move more readily on this or quickly.

Again, I do not know this, I am not speaking for the Administration, just from my point of view. I am just pleased that there is \$200,000.00, that we have a chance to look at some long-range programming and just not every year do a shot in the dark.

But, I think, Mr. Cohen, your remarks are well taken, especially your ending remarks that we do have an objective before us, a goal, and that is hopefully to place as many kids on the Summer Program as much as possible.

I am very happy to see that other issue, however, giving preference to gang members for summer jobs, has been put on the back burner, or hopefully even thrown out the window, because I do not believe in any preference for any gang members having summer jobs over kids that are really pulling the line and doing a good job here in the City of Pittsburgh.

Thank you, Mr. Chair.

The Chair:

Thank you, Mr. Ricciardi. Mr. Hertzberg.

Mr. Hertzberg:

Thank you, Mr. President. I was prepared to

vote in favor of the Youth Initiative Trust Fund Legislation from its inception. My recollection, though, of what happened, and I would have been prepared to vote for it at any point, but what happened is, other members of Council had requested some additional information from the Administration, particularly an application for the grant and instead of producing it, we were asked to table the legislation. That is how I viewed the whole thing. But, to repeat, I was prepared to vote in favor of that.

The Chair:

Thank you, Mr. Hertzberg. Any other discussion? Mr. O'Connor.

Mr. O'Connor:

Yes, I think there was some miscommunication on that money, too. The way I see it, after -- and, again, I agree with almost everyone here, we said different things, though. I think that money came to us looking like -- at first and even some of today's paper indicated that this money was going to be to hire gangs and we -- certainly I do not think anyone supports that initiative right now.

The way I read this money, it was a gift from the foundations for long-range plans, what to do about some of the youths, whether it be good youths or troubled youths. But, I am hopeful that this money is not going to be to hire any gang members, and that type of thing, which I would like to get that clarified.

And, the 450,000 you are talking about is additional money, the foundations are hiring people, so to add more youths on, so we have -- generously the corporations have the last two or three years given extra money to hire youths, and, I think, as you have said, the neighborhood initiative to hire them; we certainly could use more money, whether it be federal money or corporate money, to bring more on, and it is a good tool.

But, I do believe if the Mayor uses this money properly, and I hope he does, to look for long-range plans. I think some of the Council, we were questioning when we first saw it was, just like the \$150,000.00 we gave to the Youth Commission, they were going to go out and hire staff, computers, et cetera, and none of that money was going to really trickle down. I think that the

concern of Council was, how this money was going to be spent.

I do not know that the Mayor has an initiative or a plan right now, but I am hoping and my belief is, as Councilman Hertzberg just said, that this is going to be long-range studies and what can we do, and also to make better jobs, whether it be summer jobs or what, how to do it better in the long range.

A lot of this is -- when this \$400,000.00 comes in from the corporations now and to throw jobs out there, usually they are not trained, supervised, with all due respect to the organizations, they are doing it well, to get a lot more money and a lot more jobs this quick within 30 days, is not good planning, and I think we need planning to solve the long-range goal, and I feel the Mayor is going to use this money to do that and hopefully he does a good job of it, and for the long range, because the short term initiative job, some are very good but some are putting ten kids in a parking lot to clean it up and no supervision, is not the long range answer. So, I hope this money is going to solve a long-range problem.

The Chair:

Well, let me clarify one thing because it has come up twice, and that is about jobs for gang members. This money is not being used to provide jobs for gang members, which I fervently oppose; in fact, it is not being used to provide jobs for anyone. It turns out it is going to be used for consultants, and that is fine, as long as we were told up front what it is going to be used for, but the Administration asked for this bill to be tabled, they asked for it to be tabled, not us, all we did was ask some questions about it and that is our role as Council, to be able to ask questions about how money is spent. And, I do disagree about pulling the bill because I think it sets a dangerous precedent, and that is that if bills in the future are pulled, just because Council asked some questions, then that is going to cause serious problems.

Any other discussion? Hearing none, is there a motion to excuse the absent member?

Mr. Smith:

I move that we excuse the absent member, provided that their citizenship is not revoked at the Border.

The Chair:

There is a motion, is there a second?

MR. ONORATO seconded the motion.

The Chair:

All in favor, signify by saying "aye"?
Opposed? The ayes have it.

WHICH MOTION PREVAILED.

The Chair:

Is there a motion to approve the minutes?

MR. SMITH moved to approve the Minutes of
Monday, May 9, 1994.

MR. ONORATO seconded the motion.

Which motion prevailed:

And on the motion of **MR. HERTZBERG**

Council adjourned.

(BEGINNING - MR. O'CONNOR'S COMMENTS ON BILL NO. 497, WEDNESDAY,
MAY 11, 1994)

Mr. O'Connor:

Director, I believe we started this about a year ago with
your office.

Mr. Kraszewski:

That's correct.

Mr. O'Connor:

You want to explain this?

Mr. Kraszewski:

Yes. We're going to pave a portion of the road that is
going to cost \$29,575.00 to complete starting from Eighth Avenue
to the city line and they have agreed to participate in their
fair share of the payment.

Mr. O'Connor:

I know we worked with the Mayor of West Homestead, John
Dinda and the people in West Homestead will be very happy when
this is done.

Mr. Kraszewski:

It's an important street to that area.

Mr. O'Connor:

We didn't own it but we had a part of it.

Mr. Kraszewski:

That was problem and that's why you need a cooperative
agreement because you have different ownerships but the other
problem was the economics, just finding the money and they have
been able to do that and we should be out there within several
weeks.

Mr. O'Connor:

I want to thank you and I know all the people in New
Homestead will thank you very much.

Mr. Cohen:

I'm interested in how you were able to determine the monetary amount here. Is that negotiated or did you actually put together the costs that are involved?

Mr. Kraszewski:

It's an actual field of measurement taking a particular area and apportioning a fixed cost to the square yard price so it's our actual cost that we bill for based on field measurements.

Mr. Cohen:

Thank you.

The Chair:

All in favor? Opposed? The ayes have it.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

May 24, 1994

No. 21

Municipal Record

ONE-HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
KURT J. SALAC.....Asst. City Clerk

Pittsburgh, PA
Tuesday, May 24, 1994

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Smith
Mr. Hertzberg	Mr. Ferlo
Mr. O'Connor	(Pres't)

ABSENT:

Mr. Ricciardi

The Chair:

We have a quorum. Would you all please rise for the Pledge of Allegiance, and would you please remain standing for a moment of silent prayer, so that we may have peace throughout the world.

"I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all."

The Chair:

Thank you all. We have a few proclamations this morning. I believe all of them are to be read into the record, and at this time I will ask the City Clerk to please take the proclamations. I believe Mr. O'Connor has one. Mr. O'Connor.

PRESENTATIONS

MR. O'CONNOR PRESENTS

No. 588 WHEREAS, one in 11 children in this country has a physical or mental disability that impairs their educational performance, and one in 25 children is so disabled as to impair the normal daily functions of childhood; and,

WHEREAS, due to medical advances that save the lives of more people each year, including the disabled, a greater number of children and their families are directly affected by the challenges of living with disabilities; and,

WHEREAS, Saint Peter's Child Development Centers, Inc., is a private nonprofit organization, established in 1958 to provide early intervention services for young children with disabilities and their families; and,

WHEREAS, Saint Peter's has since gained recognition for outstanding leadership in providing private services to children: offering physical, speech and occupational therapy; providing a tuition-free education for over 400 children annually; and increasing public awareness of the needs of children with disabilities; and,

WHEREAS, Saint Peter's recognizes the courage, determination and personal successes of these children and their families who act as partners with Saint Peter's in the development and education programs, and will honor them this year at the first annual "Breakfast for Champions", May 21, 1994.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Saint Peter's Child Development Centers for their tireless efforts to improve the lives of disabled children and their families, and commends Pittsburgh Pirates catcher Don Slaught for acting as Honorary Chairman of this fine organization.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, does hereby congratulate all of the children who have worked so hard at Saint Peter's, and declares May 21, 1994 to be "Breakfast for Champions Day" in the City of Pittsburgh.

MR. O'CONNOR moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Councilman Onorato and, Councilman Smith, I believe you co-sponsored a resolution to be read into the record. Mr. Onorato. Thank you, Mr. Onorato.

MR. ONORATO PRESENTS

No. 589 WHEREAS, "Northside Neighborhoods: Together as One" is the theme of the Eleventh Annual Northside Leadership Conference Awards Dinner; and

WHEREAS, the Northside Leadership Conference Member Organizations include Allegheny West Civic Council, Brighton Heights Citizen Federation, Calbride Place Citizens Council, Central Northside Neighborhood Council, Charles Street Area Council, East Allegheny Community Council, Fineview Citizens Council, Manchester Citizens Corporation, Northside Tenants Reorganization, Observatory Hill Incorporated, Perry Hilltop Neighborhood Council, Spring Hill Civic League, and Troy Hill Citizens Incorporated; and

WHEREAS, the Conference has been in existence since 1981 beginning as an unincorporated and informal coalition of 8 Northside neighborhood organizations. It has since grown to include the 14 neighborhood

organizations listed above and is fully organized and incorporated; and

WHEREAS, the Conference deals with such neighborhood issues as advocacy planning, housing, employee counseling, and economic development; and

WHEREAS, by bringing together representatives of each neighborhood lines of communication are kept open and organizations get to better know one another and appreciate each others point of view; and

WHEREAS, the Northside Leadership Conference is a vehicle for better understanding and fosters a feeling of cohesiveness among the neighborhoods of the Northside.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Northside Leadership Conference and its member organizations for their hard work and cooperative efforts in building and developing the Northside community.

FURTHER BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes all the award winners honored here this evening for the significant contributions they have made to their neighborhoods.

MR. ONORATO moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

The Chair:

The Chair presents two to be read into the record and one on behalf of all members.

THE CHAIR PRESENTS

No. 590 WHEREAS, on Sunday, May 22, 1994, the Sixth Mount Zion Baptist Church will celebrate its 95th Anniversary; and,

WHEREAS, the Sixth Mount Zion Baptist Church has a vast history that began in the year 1898; and,

WHEREAS, the Sixth Mount Zion Baptist Church was founded by the Reverend Thorton Logan under the original name of the New Bethlehem Mission; and

WHEREAS, in 1902 the Sixth Mount Zion Baptist Church was chartered and admitted to the Union Baptist Association, known today as the Allegheny Union Baptist Association; and

WHEREAS, after two fires in different locations, in 1931 under the guidance of Reverend John C. Hairston, the congregation purchased the building on its present site; and

WHEREAS, throughout the years under the leadership of such Ministers as Reverend Elmer L. Williams, Reverend Henry J. Miles and Reverend Cornelius Williams, present Minister, the Sixth Mount Zion Baptist Church has expanded to include: an annex; the Dr. J.C. Hairston Senior Center and Memorial Library; and the houses located on Farison Square.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF PITTSBURGH recognizes the contributions and accomplishments of the Sixth Mount Zion Baptist Church and congratulates them on their 95th Anniversary celebration; and,

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh hereby declares May 22, 1994 as Sixth Mount Zion Baptist Church Day in the City of Pittsburgh.

MR. CUSICK moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

THE CHAIR PRESENTS

No. 591 WHEREAS, Since the advent of the wheel more than 5,000 years ago, which marked one of the most important advances in man's development, this discovery's first important use was in transportation; and

WHEREAS, Ingenuity through the centuries led to various forms of modes of travel, ultimately leading to the design of the motorcycle which serves a multitude of uses to benefit the needs and

pleasures of mankind throughout our nation and the world, oft-times leading to the emergence of groups of riders molded for their purposes; and

WHEREAS, the Alliance Of Bikers Aimed Towards Education (A.B.A.T.E.) is the Allegheny Chapter of a State Wide Nonprofit Organization that is dedicated to motorcycle safety, awareness and education, and seeks to dispel various concepts of bikers often depicted by movies causing fear and apprehension; and

WHEREAS, A.B.A.T.E. of Allegheny County in its history, participated in numerous activities including runs for Muscular Dystrophy, Child Find, Central Blood Bank, Buhl Science Center's Christmas Angels Program, WQED's Telethons and more recently supported the Greater Pittsburgh Community Food Bank, KDKA's Children's Hospital Campaign and the Evangelism Commission's Street Afterschool Program of St. John's Church of Homestead by donating toys during the Homestead Christmas Parade;

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim the month of June, 1994 as Motorcycle Awareness Month in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

At this time we will move directly to Presentation of Papers, calling on Councilman Cohen, Committee on Public Safety.

Mr. Ricciardi is at a funeral this morning, that is why I am explaining his absence, and, as you know, our City Clerk, Linda Johnson-Wasler, is at a conference and she will be back next week; she is not in Cuba.

MR. COHEN PRESENTED

No. 592 Resolution providing for an Agreement or Agreements with a psychologist or

psychologists for professional psychological services for 1994 at a cost not to exceed \$60,000.00, and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Public Safety.

Also,

No. 593 An Ordinance amending the Pittsburgh Code Title One-Administrative, Article VII-Procedures, Chapter 161-Contracts, by adding a new Subchapter 161.26-Automobile purchase and lease contracts by the City of Pittsburgh.--- (SPONSORED BY MR. COHEN)

Which was read and referred to the Committee on General Services.

MR. CUSICK PRESENTED

No. 594 An Ordinance amending the Pittsburgh Code, Title Seven - Business Licensing, Chapter 777 Mechanical Amusement Devices, Section 777.05 License fees, by increasing the annual license fee for electro-mechanical gambling devices from one hundred eighty-five dollars (\$185.00) to five hundred dollars (\$500.00).--- (SPONSORED BY MR. CUSICK)

Which was read and referred to the Committee on Public Safety.

MR. ONORATO PRESENTED

No. 595 Resolution amending Resolution No. 181, Item A, effective March 22, 1994, which authorized the sale of a 3 sty. brk. apt. 619-621 Junilla St. 5th Ward, Block 10-G, Lot 160, to Hill Community Development Corporation for the sum of \$1,025.00.

Also,

No. 596 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1994.

Also,

No. 597 Resolution further amending Resolution No. 882 of 1993 as amended by Resolution No. 1334 of 1993 entitled "Providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act;

Also,

No. 598 Resolution providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act;

Also,

No. 599 Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Joint Initiative Program Single Point of Contact Project; providing for the execution of grant contracts and for the filing of requisitions and other data; approving the Joint Jobs Initiative Program Single Point of Contact Project Plan; providing for required assurances;

Also,

No. 600 Resolution providing for the authorization to make all legitimate expenditures for wages and fringe benefits for supervisor/participant workers' compensation, unemployment compensation, participant physicals, transportation, copier, supplies and administrative expenditures necessary to implement the Safe Summer '94 and 1994 Pittsburgh Partnership/Summer Youth Employment Program; providing for the periodic transfer of funds to reimburse for expenditures and providing for the periodic payment of costs incurred in the Safe Summer '94 and 1994 Pittsburgh Partnership/Summer Youth Employment Program thereof, total cost not to exceed \$579,000.00.

Also,

No. 601 Resolution providing for an Agreement or Agreements with various agencies for the implementation of the 1994 Pittsburgh Partnership/Summer Youth Employment Program; and providing for periodic transfer of funds to reimburse agencies for legitimate expenditures incurred, and for the payment of the costs thereof, total cost not to exceed \$25,000.00.

Which were severally read and referred to the Committee on Finance.

Also,

No. 602 Resolution transferring the amount of Ten Thousand (\$10,000.00) Dollars from Code Account 1687, Recycling, Index Code 168708, Bureau of Environmental Services to Code Account 1728-1, Premium Pay, Index Code 172817, Bureau of Parks Maintenance, both accounts within the Department of Public Works.--
(PRESENTED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. SMITH seconded the motion.

Which motion prevailed.

THE CHAIR PRESENTED

No. 603 Communication from Jacqueline Morrow, City Solicitor, submitting the quarterly report of the settlement of small claims not exceeding \$750.00 from the First Quarter of 1994, payable from Code Account No. 1081, Petty Claims. Also, a quarterly report of the settlement of claims in excess of \$750.00 for the First Quarter of 1994, payable from Code Account No. 46, Judgments.

Which was read.

The Chair:

Actually this needs a motion to receive and file.

Mr. Smith:

So moved.

MR. COHEN seconded the motion.

The Chair:

It has been moved and seconded. All in favor? Motion carries.

WHICH MOTION PREVAILED.

The Chair:

Moving to Unfinished Business.

UNFINISHED BUSINESS

The Chair:

I would like to make a suggestion based on the attendance of last week's meeting that there be a motion to untable Bill No. 317, this involved the providing for the issuance of a warrant to KPMG Peat Marwick for \$8,000.00; this was in relation to work done on the Duquesne Light.

Mr. Onorato:

So moved.

MR. SMITH seconded the motion.

The Chair:

It has been moved and seconded to untable. All in favor of untabling the bill?

WHICH MOTION PREVAILED.

The Chair:

Now, voting on the bill, Bill No. 317, if you are in favor of the legislation for -- well, let's untable it and then we will take it back under the Finance Committee, I'll do it that way, I'll add it in with the Finance bills.

Moving directly to the Reports of Committees. Committee on Finance, Mr. Onorato. And, Mr. Salac, could you add this in to the package.

MR. ONORATO PRESENTED

No. 604 Report of Committee on Finance for May 18, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 317 Resolution providing for the issuance of a warrant in favor of KPMG Peat Marwick in the amount of Eight Thousand Dollar (\$8,000.00) in payment for research services rendered in connection with a proposed bond issue to prepay the City of Pittsburgh electric utility charges.

Which was read.

Also,

Bill No. 538 A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Frank J. Zamboni & Co., Inc., in the amount of One Thousand Three Hundred Twenty Four Dollars and Six Cents (\$1,324.06), in payment for the purchase of parts for repairing equipment provided to the City of Pittsburgh, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 539 A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Sheraton Hotel, Station Square in an amount not to exceed Eight Thousand Six Hundred Thirty Seven Dollars and Sixty Five Cents (\$8,637.65) in payment for the Citiparks Senior Center Program Volunteer Recognition Gala and providing for payment thereof."

Also,

Bill No. 540 A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Hollowood Music Sound in the amount of Three Thousand Seven Hundred Forty Six (\$3,746.00) Dollars, in payment for the purchase of sound equipment and rental services provided to the City of Pittsburgh; furnished for the benefit of

the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

The bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Smith
Mr. Hertzberg	Mr. Ferlo
Mr. O'Connor	(Pres't)

AYES 7 NOES none

(MR. FERLO, PRES'T VOTING "NO" TO BILL NO. 317)

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally, including the tabled bill, No. 317, which needed six votes, as it is a warrant.

Also,

Bill No. 541 A Resolution entitled, "Resolution providing for an Agreement or Agreements with Tod Temporary Agency to supply the Department of Law with temporary personnel with legal experience to replace departing clerical staff as needed. The total cost of this temporary service is not expected to exceed \$20,000.00 and can be paid from Code Account 1075 B5-1, Miscellaneous Services."

Which was read.

Also,

Bill No. 542 A Resolution entitled, "Resolution providing for an Agreement or Agreements with Consultant or Consultants for professional services

in connection with evaluation of applicants as part of the Civil Service Commission's psychological assessment program for entry level Police Officers, and providing for the payments thereof. The total amount payable under this Resolution will not exceed \$7,300.00, chargeable to and payable from Code Account 1100, (110007), Miscellaneous Services, Department of Personnel and Civil Service Commission."

Which was read.

Also,

Bill No. 543 A Resolution entitled, "Resolution providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for uniformed and other employees and candidates for employment and promotion, and providing for the payments thereof. The total amount payable under this Resolution will not exceed \$40,800.00, chargeable to and payable from Code Account 1100 (110007), Miscellaneous Services, Department of Personnel and Civil Service Commission."

Which was read.

Also,

Bill No. 544 A Resolution entitled, "Resolution providing for an Agreement or Agreements with a laboratory or laboratories for professional services in connection with the administration and evaluation of laboratory testing for City of Pittsburgh employees, candidates for employment and promotion and providing for payment of the cost thereof. The total amount payable under this Resolution will not exceed \$14,900.00, chargeable to and payable from Code Account 1100 (110007), Miscellaneous Services, Department of Personnel and Civil Service Commission."

Which was read.

Also,

Bill No. 546 A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984,

entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984."

Which was read.

Also,

Bill No. 547 A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984."

Which was read.

Also,

Bill No. 548 A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

The bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Smith
Mr. Hertzberg	Mr. Ferlo
Mr. O'Connor	(Pres't)

AYES 7 NOES none

The bills having received the legally required number of votes are passed finally.

Also,

Bill No. 568 A Resolution entitled, "Resolution requesting authorization to issue a warrant to Pittsburgh Pro Bicycles in the amount of \$1,248.00 in payment of four mountain bikes for the Police Bureau's Mountain Bike Patrol. (Payment for these bikes is chargeable to and payable from Code Account PSTA, Index Code 253450, Department of Public Safety, Bureau Administration)."— (PRESENTED BY MR. COHEN)

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on any matter?

Mr. Hertzberg:

Mr. President.

The Chair:

Mr. Hertzberg.

Mr. Hertzberg:

I would just ask that my comments on Bill No. 548 from the Standing Committee be brought forward.

The Chair:

So ordered. Councilman Cohen.

(REMARKS -- SEE ADDENDUM)

Mr. Cohen:

Mr. President, I would like my comments brought forward on Bill 568 regarding the Police Bike Patrol.

The Chair:

So ordered. Councilman Cusick.

(REMARKS -- SEE ADDENDUM)

Mr. Cusick:

On Bill 494, that my comments be brought forward. Thank you.

(REMARKS -- SEE ADDENDUM)

The Chair:

Thank you. Any other comments?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Smith
Mr. Hertzberg	Mr. Ferlo
Mr. O'Connor	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

The Chair:

Moving to Councilman Smith, Committee on Planning, Housing and Development.

MR. SMITH PRESENTED

Bill No. 605 Report of Committee on Planning, Housing & Development for May 18, 1994 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 551 A Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to the Authority of an amount not to exceed \$75,000.00 for the Downtown Top Shops Program and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 552 A Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to the Authority of an amount not to exceed \$40,000.00 for the Non-CDBG Neighborhood Business District Revitalization Program and providing for the payment of the cost thereof."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Smith
Mr. Hertzberg	Mr. Ferlo
Mr. O'Connor	(Pres't)

AYES 7 NOES none

The bills having received the legally required number of votes are passed finally.

The Chair:

Councilman Cusick, Committee on Engineering and Construction.

MR. CUSICK PRESENTED

Bill No. 606 Report of the Committee on Engineering and Construction for May 18, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 494 A Resolution entitled, "Resolution amending Resolution #1428, effective December 31, 1993 entitled "Providing for an Agreement or Agreements, or the use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for Construction and Construction Inspection for Phase I of the City's Fifth/Forbes Street Improvement Project; and providing for the payment of the costs thereof," by providing for a partial front funding for said project."

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill? Councilman Cohen.

Mr. Cohen:

Mr. President, I would like my comments brought forward on Bill 494 regarding the Fifth/Forbes Project.

(REMARKS -- SEE ADDENDUM)

The Chair:

Any other comments? Mr. O'Connor.

Mr. O'Connor:

My comments brought forward on 494, too, please.

(REMARKS -- SEE ADDENDUM)

The Chair:

Thank you. Others?

I was not here for any comments, but I hope this project moves along very quickly. This Council, with the previous Administration, has fought strenuously to move this project ahead. I hope that it is done in a way that we can see some quick activity in terms of reconstruction of the corridor, and I hope it is done in such a way that it does not languish on years on end. The retail businesses along the Fifth corridor could not afford to endure a lengthy reconstruction process. I also hope that, as the Mayor stated last night at a meeting in Morningside, that the major property owners

along the corridor are also kicking in and participating with this revitalization effort.

So, again, I applaud the initiative, I trust that it is going to proceed expeditiously. Mr. Cusick.

Mr. Cusick:

I would just like to thank the Administration for providing me with a list of the anticipated expenditures out of this \$15,000,000.00 short-term loan that we received. My comments that I had made last week were only made in regards to the priorities of these projects and not to at all stall any type of construction that may be going on in the City.

The Chair:

Well, I think we know, all of us on this Council, as well the public should be aware, that the capital budget listing is a prioritization but it is a floating document, at any given time it will change based on the priorities and the needs. With the initiation of the Downtown Management Corporation getting underway, I think this is clearly a great shot and a good communication that we send to those property owners and merchants and retailers in the Downtown corridor, that we want to be a partner with them. We have anted up not only with the \$100,000.00 to support administratively the Downtown Management Group but here as a major commitment to do some badly needed upgrading of the Fifth corridor.

So, we want to be partners and we want to work together and we know that at times the capital budget has to be readjusted, it just has to be that way.

Councilman Cohen?

Mr. Cohen:

Mr. President, I respectfully disagree with you. I voted "no" on this bill on Wednesday and I am going to be voting "no" today. Certainly there is room to disagree agreeably on this issue. I think that given the financial condition of the City that this is a project that we just cannot move forward with as quickly as the Administration would like to move forward with.

I recall, and I am sure you recall, when in 1991, the Masloff Administration unveiled this whole project at a luncheon with the Golden Triangle Association, and it was unveiled with a lot of hullabaloo, but it never went forward, and the reason it never went forward was because the City, frankly, did not have the money to go forward with it. We sought to get federal money, we sought to get state money but that actually did not happen. I think that we have to be making the tough decisions here, and given the City's financial condition, something that we could not go forward with in 1992, or 1993, we certainly should not be going forward with in 1994, given the City's financial condition.

Also, in a dialogue with the Budget Director last Wednesday, he made it clear that the Administration would be embracing the debt service policy and maybe even becoming more restrictive than the debt service policy of the past. Our current debt service, that is, the interest on the loan that we are taking for this project, is 14.4 percent of our entire operating budget, this is going to increase that, given that it is such a large project. Mr. Miranda said last week that he wanted to have that decreased substantially, maybe even to 12 percent of our operating budget, and I think given those conditions, as much as we would like to move forward, and I agree with you that this would be a great project, I just do not think we have the money right now.

So, I will be respectfully voting "no".

The Chair:

Other comments? Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no".
The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cusick	Mr. Onorato
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 6 NOES 1

(MR. COHEN VOTING NO)

The bill having received the legally required number of votes passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

I have one communication from the Mayor.

THE CHAIR PRESENTED

Bill No. 607

Communication from Mayor Tom Murphy informing City Council of the appointment of Clair Staples to the Urban Redevelopment Authority for a term to expire December 31, 1996.

Which was read.

The Chair:

This is an appointment directly from the Mayor, it does not need confirmation of Council. I would ask for a motion to receive and file the communication.

Mr. Cohen:

So moved.

MR. SMITH seconded the motion.

The Chair:

The motion has been made and seconded to receive and file. All in favor? Motion carries.

WHICH MOTION PREVAILED.

The Chair:

And, we wish Clair well on the URA Board; she will be serving with our colleague, Councilman Smith, and I know she is a very vocal, very articulate individual, and we need her involvement on the URA Board.

At this time if there are other issues regarding Motions and Resolutions, calling on any of my colleagues?

MOTIONS AND RESOLUTIONS

The Chair:

Councilman Smith, are you raising an issue regarding the held legislation on the Mon Valley Expressway?

Mr. Smith:

We will be submitting by substitution for next week.

The Chair:

You have no such resolution ready at this time?

Mr. Smith:

No, sir.

The Chair:

Thank you. Two brief points. One is, I sent a letter to the City Solicitor regarding the parliamentarian, which, as you know, attends the meeting, the Tuesday session as well as the Wednesday session, with the suggestion, unless there is an objection of Council, that the parliamentarian, who, as you know, is a legal solicitor in the Law Department, can be working down on the lower floor, watching the meetings, when and if there is a need for a parliamentarian, and it happens so rarely, we would be able to call that individual up, so that we have an independent parliamentarian. If there is no objection to that, hopefully this person could be down there working on title work, or real estate, or doing something more productive than sitting here for hours, where in most cases we never need his or her services.

So, if there is no objection, we will keep that going and see if it works out; if it becomes a problem, then we will go back to the old system, but we would like to make the full-time attorney a little more productive than sitting here for 10, 15 hours a week.

Secondly, the -- if there are no other concerns --
Mr. Cohen.

Mr. Cohen:

Sorry to interrupt you, Mr. President.

The Chair:

Please.

Mr. Cohen:

I think it is an excellent idea and hopefully it will work.

One other issue, and that is the Ethics Commission, we received -- were you going to bring that up?

The Chair:

Yes, I was going to speak on that.

Well, just very quickly. As you know, the Administration has appointed two individuals, Mr. Solomich and Ms. Mary Portis, and as you well know, there was an individual earlier appointed, Janet Berkowitz. So, there are three members right now on the Ethics Board. There are two more vacancies to be filled. What I would request is that by next Tuesday's meeting, if we can have a list of nine names to recommend for the filling of these two vacancies, and we will send those names over to the Mayor, the Mayor must draw two names from the list of nine. So, if Council members could please forward me or the City Clerk a list and if you have a biography, it would be helpful, obviously. But, if we do this quickly we can get it done next week.

Mr. Cohen?

Mr. Cohen:

Thank you, Mr. President. I was just going to make the same point. I do believe that the latest appointee, Janet Berkowitz, does need to be sworn in. So, if we could check on that, I would appreciate it. I submitted a name last year, last fall, and will re-submit that name; I know Mr. Hertzberg has, too. So, we are at least moving down that road, but we do need a number of other names.

The Chair:

Well, let's just put it this way. I would like the information by Tuesday. If we do not get a nomination from a district I am going to have to come up with a name for that district. So, I would really strongly urge each Council member to come up with a name, those nine names will go to the Mayor, the Mayor will draw two names from that list of nine candidates.

Councilman Onorato?

Mr. Onorato:

The same request that we have for all of the boards. If we could get a list of all of the board members, how many, where they are from, how long they have been on there, so we get an idea of the geographical make-up of the board also.

The Chair:

Very good. Any other comments under Motions and Resolutions?

If there is no objection to Council, I would ask that we meet possibly Tuesday -- Memorial Day is Monday, obviously -- but that we meet Tuesday at 2 p.m., instead of 10 a.m. Is there any objection to that?

I would like to entertain a motion that this meeting be adjourned and that we meet Tuesday at 2 p.m. Is it so moved?

Mr. Cusick:

So moved.

MR. O'CONNOR seconded the motion.

The Chair:

Moved and seconded. All in favor? This meeting stands adjourned.

WHICH MOTION PREVAILED.

And on the motion of MR. CUSICK

Council adjourned.

(BEGINNING - MR. HERTZBERG'S COMMENTS ON BILL NO. 548,
WEDNESDAY, MAY 18, 1994)

Mr. Hertzberg:

Discussion. This discussion relates to Lettered Item H,
146 Warden Street, 20th Ward.

I have received a few complaints from another neighbor,
Audrey Locke and Keith Locke who apparently initiated the whole
thing to get this property out into the selling end of the deal
and then to find out that the neighbor on the other side jumped
in front of them. It would appear -- I'm told that they sent
their hand money in on March 15th and the neighbors sent it in
on March 30th and they have been trying to get it for the last
couple of years. They maintained it, cut the grass and even put
gravel down on this property and they are very upset about it.

Ms. Tenenbaum:

Mr. and Mrs. Locke did in fact send hand money in with
their request to purchase. Now as you know we do verify
different information submitted by purchasers as to tax status
with the City of Pittsburgh. Their application came with the
hand money after the purchaser's application. We do not take
hand money with the application, we take it once we have
approved the purchaser so we had an earlier application from the
purchaser that we were processing when the Lockes sent in their
hand money with their request to purchase. They have for your
information been approved a purchase and have been filed as an
objector with the Law Department. They will have an opportunity
to bid on the property.

Mr. Hertzberg:

So Mr. Locke will receive notice and will be able to go to
court and bid on this property.

Ms. Tenenbaum:

He's already received notice from our office that he
approved to purchase, there is a sale in progress and he will
receive certified mail from the City's Law Department at the
appropriate time.

Mr. Hertzberg:

Then we have no problem, everybody is on a level playing
field.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 568, WEDNESDAY,
MAY 18, 1994)

Mr. Cohen:

I wanted to take a moment -- because this is on the issue of bike patrol for City of Pittsburgh police is to commend you Mr. Chair for initiating this whole program and also for us to not retreat from that program in light of Officer Bobby Joiner's shooting and I think that virtually everybody in the city said that this is a time to strengthen our revolve and not to retreat from the program. It was a very unfortunate incident, a tragic incident for a very good police officer and one who is very enthusiastic but bullets don't know boundaries and I think that Officer Joiner had he been on foot or even in a police cruiser like every other police officer it would have been subject a potential shooting and that's what our police officers are out there every day in a very dangerous job, so I want to commend Mr. Onorato for initiating this and also to commend the Public Safety Department and the Police Bureau or not retreating, and the Mayor Tom Murphy, for not retreating but to strengthen our revolve and move forward with this program as quickly as we can.

The Chair:

I want to thank Councilman Cohen because I agree 100 percent. If anything this shooting shows that we have to expand these types of programs, be it beat patrol or bike patrol it's getting officers into the neighborhoods. I thought it was very ironic that people would even question the program. If were to retreat, what message would that send to the neighborhoods that we don't even want officers riding a bike through the neighborhoods? We have to make sure these neighborhoods are safe and that means all of the neighborhoods, all 88 of the neighborhoods, and it's critical that expand the program and we stand behind the program and that means both the bike and the foot patrol.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

(BEGINNING - MESSRS. COHEN, O'CONNOR AND CUSICK'S COMMENTS ON
BILL NO. 494, WEDNESDAY, MAY 18, 1994)

Mr. Cusick:

Discussion. I'd like to start off by making a statement.

At last week's meeting maybe I was not clear on my request and maybe my explanation for why I was requesting that was somewhat hazy but at this moment I'd like to make it clear.

I think on Thursday of last week Miss Kelly from the Mayor's Office had made a comment in regard that I did not know what was going on as far as the capital budget goes. I didn't think the comment was necessary and I don't think that my request was much to ask for.

I did ask for if there was a list that the Mayor was prioritizing capital projects and I asked that because I think at one point the Mayor sat down with most of Council and said that he would be cutting back or if not eliminating certain capital projects. I think it's important that if he was going to do that and I very much admire him for telling us that at that time because there were some tough decisions that needed to be made, but all I was doing last week was asking for Mayor to share that list if there was one. There was comments being made up that, "Hey, we're going to go out on a \$45 million bond later on or a \$60 million." That may not be the case; we may not have to, that plan may change if this Council doesn't see it necessary to go out on a \$45 million bond. This Council may see it necessary to go out on a \$30 million bond issue and that we do cut back on some projects. I think it's very important considering our debt service.

Also, I am in no way trying to hold up any type of projects. I know the Fifth and Fourth Avenue Project is a very important project but I am concerned about our fiscal situation here in the city as much as the Administration.

I also would like the Administration to know at this time that I'm willing to work with them and that is why I'm asking for the information. I hope that Mr. Miranda and Mr. Reginella and Ms. Lawrence are here to tell us if there is a plan or if there isn't because we did not receive information. Now I'm going to tell you right now that I'm going to abstain today in hopes that we will receive that information by Tuesday. The reason I'm abstaining is that I did talk to Mr. Sirabella and I let him know why I was requesting the information and he told me that would be forwarded. You may be here to explain that or not to but that will be all that I have to say.

The Chair:

Any questions?

Mr. Cusick:

I would like to know if that's what you came to the table for.

Mr. Miranda:

We didn't receive a request in writing from the City Clerk which we normally do because I just wasn't in front of the TV that Tuesday so I didn't know about this request.

Mr. Cusick:

Ms. Lawrence was here at the table and I do have other requests that weren't answered from that day too.

Mr. Miranda:

What I do have an answer for is some of Councilman Cohen's questions on the cost of debt service and so forth.

A couple of issues. First, when we came up here requesting approval for the \$45 million in bond proceeds, we did as Councilman Smith reminded you all last week, we did come up with a list of projects which everybody here agreed are things that we want to do. We have not departed from the 1994 Capital Improvement Plan that City Council approved late in December of last year, so we haven't postponed little league fences, we haven't postponed street resurfacing. What we may be doing is rearranging the projects as some of them come later in the fall to maximize our cash flow needs. For example, we have to pay \$6 million in salaries for engineering and construction per year out of the capital budget and we have to keep those salaries going. We've blitzed on the Street Resurfacing Program so we have rearranged the projects. Short-term timing but nothing that I would say is a drastic change from the capital improvement plan that you've adopted.

Mr. Cusick:

The reason I think it's important for this Council to know what projects that are being rearranged or reprioritized is for example, if the County does something with the new jail and we're talking about going from Ross to Smithfield Street in this particular phase of the project, doesn't it seem like we should be working in cooperation with the County so it does not affect what we're trying to ultimately -- our ultimate goal is make that corridor nicer? Maybe we should be doing something else?

Mr. Miranda:

I think what I need to do is resurrect that list and we need to meet with you on that but again, I want to assure you that we haven't departed from our original intention, the capital budget, of doing the kind of things we had planned for 1994, the list of which was presented to you already but I'd be happy to go over that.

Mr. Cusick:

I don't recall seeing a list and if you could send me another list.

Mr. Miranda:

Sure. When we came up here for the \$45 million we did give you a list of proposed uses for --

Mr. Cusick:

-- remember, the \$45 million went away. It was after that we had the briefing from the Administration saying we're going to pull back on certain projects, we're going to eliminate certain projects if we have to but we're going to get our fiscal life in order here and there are going to be tough decisions. I understand that the Mayor is going to make a lot of tough decisions in a years ahead but we too are a part of that process and especially when this Council is asked to go out on different bond issues.

Mr. Miranda:

I can see that we will make a list available to you prioritizing those projects.

The Chair:

I want to make a quick comment on a procedural matter here and I realize you're fairly new to the Administration but anytime a Councilmember asks for information and we take a vote to hold and there's at least five and there's representatives at the table, that is our notice to the Administration on a Wednesday meeting, we don't send it over, so I would hope in the future that when a member asks for some information that the Administration would take the lead to sit down with that individual before the next Wednesday meeting regardless if anyone thinks it's a silly request, a dumb request I think that's irrelevant. It's an important request that a member brought it to the table and that at least five members thought it was important enough to hold the bill that we should have a response before Wednesday. I want to put it on the table procedurally that's how we handle it here. On a Tuesday meeting

when we have a motion and a resolution but we ask the Clerk to send something over in writing, we actually take a vote on that to put it in writing. But when we have representatives from the Administration on a Wednesday, that is our correspondence taking place right there. Stating that why don't we go around the table.

Mr. O'Connor:

I think in defense of my colleague Mr. Cusick, I think he was very clear and he brought up an important and clear message and he also -- we held it for one week and you assured us that it would not jeopardize the program. We certainly didn't want to do that and I thought that was very clear. Basically what we're asking and I think we've had so much public pressure and news media and fiscal problems and we are looking to show fiscal responsibility and I'm sure are. I think to answer to my question the capital budget is the mortgage, the long-term debt and we were under the impression or at least we heard in some of our meetings or through the media too that if we keep charging and charging we're going to get in trouble. Every one of these projects is very important especially Fifth Avenue but we want to be assured that if Fifth Avenue is done and all the other projects on this list are done that we are not putting ourselves in poor, long-term debt problems and I'm going to ask you that question so you can publicly tell us it's okay.

Mr. Miranda:

Projects like Fifth and Forbes are meant to stimulate economic development and growth of the city tax base so in that sense while you don't have certainty as to the revenues that we'll ultimately bring in, this project is a developmental project, it's meant to increase business vitality in the Downtown and I would say that those projects standard across cities are worthwhile projects to pursue and while these projects have a cost. They increase our debt service in the short run but we think it's a worthwhile project to pursue and I guess so did the past administration and the City Council when they approved us going forward with this project.

Mr. O'Connor:

Again I think we all agree on it that it's vitally needed and it's a good investment but to answer the question is it financially responsible to do that right now?

Mr. Miranda:

We need to -- because it is a mortgage type of project as you say the immediate cost to this will be spread over a period of years so as the project stands, it's currently budgeted about \$3 million and \$2 million of it which will the corporate

responsibility of the City of Pittsburgh and that amounts to about \$200,000.00 in debt service per year to do that project so that's the trade-off. You're increasing budgetary pressures of about \$200,000.00

Mr. O'Connor:

Is that a yes or no?

Mr. Miranda:

This is what City Council has to decide to prioritize.

Mr. O'Connor:

We are asking you as our -- and we put a lot of trust and faith in you and I think we're looking for a safe that it's yes it's a good way to spend our capital dollars or it isn't.

Mr. Miranda:

It's an excellent way to spend our capital dollars.

Mr. O'Connor:

Then the operating budget that we have problems and the cutbacks, the \$18 million, we won't get out of it in one year but the course you're taking in the next two or three years we can get that even; they don't interact.

Mr. Miranda:

Yes. We need to count on revenue growth helping us with the \$200,000.00 in debt service. We need to manage better to come up with the \$200,000.00 but this is a project of long-term growth which I really think most of you agree that Downtown development is important and I don't think we should be deferring it.

Mr. O'Connor:

I don't think anybody questions that but I want to make it clear because I think Mr. Cusick made it very clear that we all support this because we need the Downtown because it's our highest tax base and it pays for all the other benefits we get whether it be a park fence or a ballpark, so by doing this you're saying it's not going to interfere with any other capital programs that we've had. I mean, if it takes another month or we delay it two or three months it may be good fiscal responsibility, I'm not questioning that.

Mr. Miranda:

No, it won't interfere with other programs that we have planned in the capital budget.

Mr. O'Connor:

Thank you.

Mr. Hertzberg:

I think what you see here is frustration at the denial of Council's request to the Mayor to open the budget, but as I see things we're stuck under the City Charter with the Mayor's decision and I voted no to hold this all together. I don't see what business we have in holding this up. All this does is reallocate how the funds are going to be encumbered on this particular project which has already received all of the approvals, it has been a long-time item, but in my particular neighborhood we have had another long-standing project, the expansion of our senior center which is a result of all this budgetary and fiscal concerns has been put on hold, it was scheduled to start a couple days ago. Are you familiar with that particular project?

Mr. Miranda:

I don't have the specifics of that project but again we have juggled some projects, delayed them for a couple of months at times just to meet our cash flow need so I want you to bear with us on this. We did the \$15 million in financing which we received the cash last Friday from the financing so even that can move ahead now that we have that financing but until then we were really bare to the bone on our cash needs on capital projects.

As far as your earlier comment, this issue has very little to do with or has nothing to do with opening up the budget. This is a capital budget which is really financing as you go along. Each of these capital projects does include Council. Council has to give its authorization before they move forward so City Council does have input in every one of these projects in that sense.

Mr. Reginella:

You're speaking of the Sheraden Senior Citizens Project which was delayed temporarily pending the procurement of capital funds on the part of the City. Now that it has occurred we will be reactivating the project and in fact it's ready to go to bid. The drawings are completed, the specs are completed so it's just a matter of receiving the authorization from the Budget Office

to proceed so we are there and it will be advertised I'm sure.
The delay was only temporary.

Ms. Lawrence:

Our concern was holding back on projects until the cash came in last Friday.

Mr. Hertzberg:

That's going to get going.

Mr. Reginella:

Exactly.

Mr. Cohen:

Let me say a couple of things up front if I could. First of all that I very much support this project. I think it's a very important project for Downtown and also for the city has a whole but that's not the question on the table. The question on the table is whether it makes sense to move forward now given the current financial conditions of the city and I do think that there has been some lack of cooperation on this issue, one with respect to Councilman Cusick who I supported very strongly in holding this bill. I don't think that responding by saying that he doesn't understand the budget is a way to respond, I think it's completely an inappropriate way to respond because he asked some very legitimate questions and I happen to know that he knows the budget quite well.

Mr. Miranda:

Nobody at this table has implied that so I think it's unfair that you can't --

Mr. Cohen:

-- it was quoted in the newspapers, maybe it was wrong.

Mr. Miranda:

Yes.

Mr. Cohen:

The other thing is that when we do ask for information, we do expect especially financial information, to have it writing prior to the meeting just so we can study it especially when it's on a complicated subject like the debt service. What I asked for last Wednesday, what is our total debt service right now for the City of Pittsburgh in our capital budget, what it is

as a percentage of our budget and how this particular project will increase that actual dollar amount in the percentage dollar amount of our debt service.

Mr. Miranda:

Our total debt service outstanding is \$560 million. That includes the ELA, the Stadium Authority and one-half of the Auditorium Authority's debt service which we're responsible for. As a percentage of the operating budget our debt service in 1994 will be 14.4 percent.

Mr. Cohen:

You were talking about the general obligation debt service.

Mr. Miranda:

That's right. Lastly, we're looking at -- again, the rule of thumb is \$100,000.00 per million dollars as annual debt service and we're looking at for a project like this since our cost will ultimately be about \$2 million, about \$200,000.00 in debt service per year.

Mr. Cohen:

I think I need some clarification as to what the size of this project is at least in both bills it says a \$5 million project and you said \$3 million and \$2 million so Mr. Reginella, maybe you can give us some clarification on that.

Mr. Reginella:

Yes. I stated at the table last week that the \$3 million to \$5 million quoted in resolution is the range that we are required to stipulate based on some city legislation that was passed some time ago that was sponsored by former Councilwoman Michelle Madoff which prohibits us from stating the exact amount available for a given project. The cost of the project -- now I'm violating that requirement of course by telling you this but the cost of the project is estimated at \$3.1 million, so the \$5 million figure is certainly way above the actual cost.

Mr. Cohen:

Director, do you need for us to approve a \$5 million project?

Mr. Reginella:

As we talked about last week, the legislation for moving ahead with the project has already been approved. All we're

doing is easing the crunch on the cash flow if you will. That is the only purpose for submitting this legislation.

Mr. Cohen:

You're asking our approval today.

Mr. Reginella:

Yes, we are because we certainly want to move ahead with the project. The actual cost to the City for this project is approximately \$2 million. As Mr. Miranda stated, the reason for that being that there is a significant reimbursement coming from the Water and Sewer Authority. We stated last week that we have improvements to the water and sewer lines in the street and that reimbursement is significant along with a summary reimbursement from the local merchants particularly Kaufmann's for our doing work on their vault under the sidewalk.

Mr. Cohen:

What is the Water and Sewer Authority reimbursement?

Mr. Miranda:

It's \$600,000.00.

Mr. Cohen:

It says and I may not have it right but it says in our own capital project that it's \$250,000.00.

Mr. Reginella:

It's an error.

The Chair:

Could it be scattered at other locations in that capital budget?

Ms. Lawrence:

I think that is what we estimated. We have better estimates now that the project has been advertised and those costs are up to \$600,000.00.

Mr. Cohen:

So the \$250,000.00 should go up to \$600,000.00? I guess there are two issues then. One is how much money is actually being spent on the project and you're saying it's about \$3.1 million instead of \$5 million and then the other is what the

debt service is. If it's \$100,000.00 per million of capital costs then wouldn't the debt service be about \$300,000.00?

Mr. Miranda:

Yes. We're assuming that the \$1 million gets paid back fairly quickly so we're talking about bond funds of \$2 million over the life of the project.

Mr. Cohen:

How does this increase the 14.4 percent debt service as part of our entire budget?

Mr. Miranda:

The 14.4 percent assumed we would be spending I think about \$28 million a year on the capital budget so I think it would keep it fairly close to that amount. That includes our capital expenditures for 1994. That is a projected percentage of the budget that goes to debt service, 14.4 and it would include a project like this.

Mr. Cohen:

The last debt policy statement that I could find and it may not be the most recent one but it was from November of 1991 and what it says there is under Number Three, that the total general obligation debt service to the City of Pittsburgh will not exceed 15 percent of the total operating budget of the City of Pittsburgh for any given year and then right under that "the total of the grossed bond debt of the City of Pittsburgh and the authorities for which it has direct responsibility will not exceed 30 percent of the assessed evaluation of the City of Pittsburgh for that same year. Do you plan to abide by that past policy or develop a new policy?

Mr. Miranda:

We plan on developing a new policy and we plan on providing opportunities for City Council to have input into that new policy. The problem with the current debt policy is that it keeps those at twice the modese median per debt, per capita. I think the modese median is about \$770.00 and we're at about \$1400.00 per capita on debt. What we would like to see is over time --

Mr. Cohen:

-- what does per capita mean? Per resident of the City of Pittsburgh?

Mr. Miranda:

Yes. It's \$770.00 but I'll provide you with the exact modese figures but roughly \$770.00 versus \$1400.00 for Pittsburgh compared to the national average.

Mr. Cohen:

Which figure refers to what we have now?

Mr. Miranda:

It's \$1400.00. So what we would like to do is see that figure go down over a period of years. The problem is you need to fund the City for growth at the same time you are trying to deal with these budgetary problems. It's very easy for all of us to agree we could save money if we didn't do developmental projects but where does it leave us in terms of the future of this city. What I'd like to see a debt policy that would take us back down from 14 percent closer to the 12 percent range over a period of three years but we are working with our financial advisor and our Director of Finance to put forward a draft of a debt policy to then get input from City Council especially the Finance Chairman on that.

Mr. Cohen:

Thank you for those figures. So the future policy will probably be at least as a debt service percentage of the total budget about 12 percent and not 15 percent.

Mr. Miranda:

We haven't gotten a consensus on this but that's the type of debt policy we'd like to see over a period of years for it to go down as a percentage over the budget because let's face it, debt service after awhile does detract from the normal services that city residents expect.

Mr. Cohen:

Absolutely, just for people who are watching that means for every \$100.00 the City of Pittsburgh spends whether it be for police or street paving or water or whatever that \$14.40 goes to pay off our debt. How about the part that I read about the gross bonded debt and what percentage that is of the assessed evaluation of the city?

Mr. Miranda:

I don't have figures on that at this point. Ideally as you move toward the 12 percent there will be an affect on that ratio as well but at this point I don't have anything right now.

(AT THIS POINT, I WAS TEMPORARILY RELIEVED BY CHERYL L. WILDS)

(CONTINUED ON NEXT PAGE WITH NO LOSS OF CONTEXT)

MARY ANNE HRUSKA
STENOTYPE REPORTER

Mr. Cohen:

Thank you. Is all this money unrestricted cash now or will we have to go out on a bond for part or all of it?

Mr. Miranda:

All of which money?

Mr. Cohen:

The money for this Fifth and Forbes project, the 3.1 million, or the 5 million, whatever you are --

Ms. Lawrence:

When we receive the 15 million in cash in the City last Friday, that money is now in unrestricted cash, as we view it, waiting to be spent on planned projects.

Mr. Cohen:

Including this one?

Ms. Lawrence:

Right. In cash is -- cash is restricted when a contract is signed, so when we receive the low bids on the Fifth and Forbes project, whatever that turns out to be, that is what cash will be restricted, not the 5 million, not the 3.1, but whatever the bid comes in at.

Mr. Cohen:

The only other question that came up last week was what our chances were of getting money from the federal government for this, and I had asked for any documents, whether that be letters, or applications to the federal government for reimbursement for this. Were you able to get that information?

Ms. Lawrence:

I think, Councilman, the first question is that to have federal funding for construction, a project needs to be designed and reviewed based on federal standards, and we did not meet the federal requirements for designing it and going through the paper work process to apply for and receive federal funds for this. So, for Phase 1 of this project that will not be an issue, because we wanted to pursue this project and federal funds at the time were not available for this project. That does not mean that the other phases won't be prioritized in terms of their availability for federal funding.

Mr. Cohen:

Is it because we did not qualify for it, according to the judgment of the past Administration, or that we just decided not to seek it?

Ms. Lawrence:

Again, the project history on this that it started out not being a street reconstruction project and only a public space improvement project, which at the time would not have been eligible for federal reconstruction. By the time the scope of it had changed to a full reconstruction project, other priorities were identified and prioritized for federal -- for the limited federal funding that we have for streets.

Mr. Reginella:

There is only a limited amount of monies that are available to the region from the federal government, this is through the Federal Highway Administration, and the City identifies a number of projects each year that for which it wishes to receive federal reimbursement and, of course, you go through a lengthy process of having the project programmed under the 12 year program, which is under the jurisdiction of the PennDot, as well as the SPRPC, Southwestern Pennsylvania Regional Planning Commission. This project obviously did not qualify, but I use the word advisedly, didn't get any federal funding for the simple reason that other projects took precedence over it. Again, no more, no additional federal funds were available at the time this became a project, consequently we proceeded with the engineering, the design effort, without going through the federal requirements, the federal steps that are needed to be able to be eligible for federal the reimbursement.

Mr. Cohen:

That is the answer that I wanted. I appreciate it.

For this particular bill, it says that it provides partial front funding for the project. How much does this bill front fund the project?

Mr. Reginella:

It goes back to the answer that Ms. Lawrence gave earlier. It depends on what type of bids we receive, that will determine the amount of monies that we need to restrict in order to get us to start the project, and what we try to do is to allocate sufficient funds to take us through the initial, say six months of the project. Now, this is a year and a half time table for the complete construction, the remaining part of 1994 and all of 1995. My sense is that for us to operate during the initial six

months or so, that the amount of monies that need to be restrict would be in the range of one-third of the project, perhaps. So, we are looking at possibly at a million dollar encumbrance initially.

Mr. Cohen:

If we approve this, Director, won't that provide the full 5 million dollars?

Mr. Reginella:

You already have done that by virtue of the previous resolution, yes.

Mr. Cohen:

Then tell me why you are in front of Council today?

Mr. Reginella:

Because we do not -- at this point we would have to encumber. Without this piece of legislation, we would have to encumber the entire bid amount, the entire 3 million dollars.

Mr. Cohen:

So, Council approved the 5 million in general to put in the capital budget, but you want to encumber a certain percentage of that?

Mr. Reginella:

Correct.

Mr. Cohen:

And, this bill encumbers the full 5 million, though, doesn't it?

Mr. Reginella:

No, it does not.

Mr. Cohen:

How much --

Mr. Reginella:

Well, partial funding is whatever amount we decide is needed to --

Mr. Cohen:

Well, that is why I want to try to -- so that we know what we are voting on, I want to try to get specific as to how much money this bill encumbers in a dollar figure.

Mr. Reginella:

Again, at the cost of repeating myself, I need to tell you that you have already approved -- Council has already improved the funding for the entire project --

Mr. Cohen:

I understand that very much, but if we have already approved this whole thing, then we don't need to have this discussion, or Council doesn't need to vote on this. You are asking for us to encumber a certain amount of it.

Mr. Reginella:

I think you do need to vote on it, because otherwise we would be compelled to encumber the total amount, whatever the bid might be.

Mr. Cohen:

So, how much does this bill encumber, that is what I am trying to understand?

Mr. Reginella:

We do not know but, again, my guess would be that a million dollars would suffice.

Mr. Cohen:

So, I would like to move to amend this bill then, so that we know exactly how much money we are providing for this, not in any way to tie the hands of the Director of Engineering and Construction, but given the City's financial condition, obviously we don't want to give the "blank" a check for 5 million dollars for this right now. If it is a million dollars or a million and a half dollars, Director, or whatever you say, I think we should amend the bill to include that amount. Do you have any opposition to that?

Mr. Miranda:

You understand the encumbrance has very little to do with the City's current financial condition. I really think that we ought to stop playing these cat and mouse games. We are coming here and when you hold this bill you are stopping Downtown

progress, that's what you're doing. We have already borrowed the money, I've told you the amount in debt service, you already approved this bill as part of your capital budget, and I think it is very illusory to sit here in front of the T.V. set and act like that we're saving money by only encumbering one million. I am asking City Council, all of which think this is a worthwhile project, to approve this bill, let's move forward on it. That's what we're doing. Playing games with encumbrances, doesn't help anybody.

Mr. Cohen:

Director, I resent you saying that we are playing games, or that I'm playing a cat and mouse game. This is a 5 million dollar project, it was unveiled in 1991, I was there; I was there at the Golden Triangle Association luncheon where it was unveiled. We could not move ahead with construction on this project in 1991, in 1992, or in 1993, because of the City's financial condition. Now, based on your numbers, your numbers, we have a 20 million dollar negative fund balance. This is the capital budget, that is true, but to say that there is no relation between that negative fund balance and this project is illusory, it is false. Let me finish.

Mr. Miranda:

Sorry.

Mr. Cohen:

We have a debt service for 5 million dollars, that is extremely high. I don't know of any other project before the City Council of the City of Pittsburgh right now that is 5 million dollars, none. Our debt service for this project, which means operating budget dollars, is high. What you just said was, before, is that our debt service as a percentage of the budget is 14.4 percent, that's dangerously high, dangerously close to the 15 percent limit that is in our last debt policy. What you said was, we want to bring that down to 12 percent.

Mr. Miranda:

That is right.

Mr. Cohen:

This will raise that over 14.4 percent. I think it is very legitimate for us to ask the question, is this in the best financial interest of the City of Pittsburgh and to make a policy --

Mr. Miranda:

Sure.

Mr. Cohen:

-- decision as to whether it is. Do I think this is as important as police, or as important as paving of our streets, which is also in our capital budget, absolutely I do not. People Downtown might complain about that but I don't think it is as important as that. So, the question is, this is not a cat and mouse game, this is a game of policy and whether or not this is in the best financial policy of the district -- of the City, and I resent you saying that it is a cat and mouse game.

Mr. Miranda:

When you voted to pass the 1994 budget, you knew the debt service was 14.4 percent of the budget, it is in the budget, there's a nice little part in the executive budget that does that, and you also voted -- I shouldn't say, you, in particular -- City Council approved the bill, as Director Reginella says, to go ahead and move forward with this project. We have to come to an understanding that it is wasting everybody's time to play games with encumbrances, either we have to -- we all agreed this project should be done, deferring and playing, you know, little tactics with encumbering only one million, amending this, amending that, is only going to waste everybody's time, it is going to add more paper work to it, because encumbering things does not affect the level of debt service. So, I am just asking you for a little bit of patience and to bear with us, it is project you approved. We're trying to move things along, and I would like to see your vote to move this project forward.

Mr. Cohen:

I would move to move this project forward but not for a 5 million dollar level. I am sorry, I think that is a reasonable position to take, which is that we move this forward in phases, which is how this project is going to be moving forward anyway. Director.

Mr. Reginella:

May I say something. We have been always, as you know, most cooperative with members of Council, we want to work with you, we are not here to incur your rut, as the saying goes.

But, let's suppose for the moment that the resolution is blocked, that it is not passed, it is defeated; we simply go back to the original resolution, which empowers us to move ahead with the project. So, what you will have done is simply this,

you will have required us to encumber 3 million dollars instead of one. That's the only difference. So, I want to make sure that you understand that.

Mr. Cohen:

That is why I think we should make a decision together, working together, the Administration and Council, as to how much you want to encumber at this time, and I am deferring to you as to how much that should be.

Mr. Reginella:

And, as I said, my estimate and my guess at this point is that it would be in the range of one million dollars, which would take us through approximately 30 percent of the cost of the project, then sometime in early 1995, we will come back to -- well, we don't need to come back, actually what we will do is encumber additional funding as we go along, as we need the funds, the money.

Mr. Cohen:

Well, why don't we say, one and a half million, so that you'll know for sure that will take you through the end of the year? Is that fine?

Mr. Reginella:

I do not have a problem with that.

Mr. Cohen:

Mr. Chair, I would like to amend this bill then to encumber one and a half million dollars of the 5 million dollar amount and to have the department then be able to encumber the remainder.

The Chair:

Is there a second, at least for discussion here?

Mr. Cusick:

Second for discussion.

The Chair:

Councilman Cohen still has the floor.

Mr. Cohen:

I am just making the motion.

The Chair:

Do you have any comment, Mr. Cusick, on the amendment?

Mr. Cusick:

Yes, I guess I do, and my only question is, we're asking here that you only encumber 1.5 million but you will come back to us in 1995, am I correct?

Mr. Reginella:

My sense is that we don't need to come back, because the resolution that empowers us to move ahead with the project is already in place. We can actually spend up to 5 million dollars.

Mr. Cusick:

So, the amendment means nothing then?

Mr. Cohen:

The amendment means how much you will be able to encumber in 1994.

The Chair:

Councilman O'Connor, this is discussion on the amendment right now.

Mr. O'Connor:

Yes. I see where Mr. Cohen is coming from, but I do not know that I want to tie the hands of management that much. Again, if it becomes 2 million or 1.3, or 1.7, I mean we'll be back here again. So, I don't know that it is necessary. I think -- the questions that I think Mr. Cusick and I had last week and the reason for the hold and the discussion was, is this the proper thing to do, is it fiscally responsible, I think Mr. Miranda has answered that. We're all for the project. I would just prefer letting the management handle it. I don't know that it's necessary.

The Chair:

Councilman Ricciardi, on the amendment.

Mr. Ricciardi:

Thank you, Mr. Chair. On the amendment, obviously I supported the project with all of my colleagues and this body as a whole. Director, you had mentioned that encumbering a certain

amount of the 5 million, albeit a million and a half, might, number one, increase the bureaucracy or paper work in coming back to this table, and I did not understand your reasoning behind that.

Mr. Miranda:

No, I mean encumbering only a limited portion of the money. Once we decide to dedicate this portion of the money to this project, encumbering only a portion of the money does not save anybody any money, I mean it can only be interpreted as Councilman O'Connor did, it is just going to create a need for us to come back, I think. But I think we already have a previous authorization allowing us to encumber the whole thing if we need to fall back, and I would just appreciate that the -- if you guys want to amend it, that's fine, but it doesn't save any money and I don't think it's -- I think it is just clouding up this whole issue.

Mr. Ricciardi:

However, the cap on the project cannot exceed 5 million, no matter how much encumbered; is that correct?

Mr. Miranda:

That is correct.

The Chair:

Councilman Cusick.

Mr. Cusick:

We have already said the project is about 3.2 --

Mr. Reginella:

3.1 is our current estimate.

Mr. Cusick:

So, I mean the other monies can be used if there are costs, more costs in addition?

Mr. Reginella:

No. No, when we encumber the money for this project, assuming that this bill is not in place, we will encumber only the amount of the bid, that is all we are permitted to encumber. Now, usually there is a 5 percent contingency over and above the amount of the bid that we tend to encumber for the purpose of ensuring that if and when we exceed the contract, the initial

contract amount, we do not have to come back for more money. That 5 million dollar figure, again, is a range that is required by the current City Legislative requirements, if you will, but we will only encumber the total amount of the contract, not a penny more. And, as I said, again and again, the purpose of this bill is simply to enable the Administration to have to put aside a lesser amount initially, period, no other purpose, as far as this bill is concerned.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Thank you, Mr. Chairman. I am convinced that you intend to do this project in the most fiscally responsible manner that you can do it in and that is why you came to us to begin with. I appreciate all of my fellow Council member's concerns about our fiscal condition, but I do not see the need to amend this, I just see the need to get it going. So, that is where I am.

The Chair:

Councilman Cohen.

Mr. Cohen:

One last comment, because I can see where this is going.

I think this Council can either choose to oversee this project, which I believe is one of our primary functions, or not to, and I think what this amendment does is it goes along with what the Director said the amount of money that needs to be encumbered this year is, I did not come up with that dollar amount myself and not give a blank encumbrance for 1994 of either 3 million dollars or 5 million dollars, whatever that project amount is, and I do think that we should be able to continue to oversee this project by doing it in phases and not just giving a 5 million dollar blank check, and that's why I made my motion.

The Chair:

Go ahead, Director, if you want to respond.

Mr. Reginella:

If the Chair will permit.

As far as doing it in phases, if we're speaking from a financial point of view, fine, but when you solicit bids and you enter into a contract with the low bidder, you are contracting

for the entire amount; we are not contracting for a million dollars or a million and a half, whatever the low bid is that will be the amount of the contract. Again, this is simply our way of easing the crunch on the cash flow, if you will, by having to set aside only a minimal amount so that what other monies do exist in the unrestricted cash fund can be utilized for other purposes until the City acquires other funding in the future.

The Chair:

Councilman Smith. We are going to take a break while we switch stenographers, then Councilman Smith is up next.

(At this point, Ms. Hruska resumed stenotyping the meeting)

(Continued on next page with no loss of context)

CHERYL L. WILDS
STENOTYPE REPORTER

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

May 31, 1994

No. 22

Municipal Record

ONE-HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
KURT J. SALAC.....Asst. City Clerk

Pittsburgh, PA
Tuesday, May 31, 1994

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

The Chair:

We have a quorum. Would you all please rise for the Pledge of Allegiance, and would you please remain standing for a moment of silent prayer for peace throughout the world.

We are very honored today to have a young man here, J.C. Carr, who is an 8th Grader at St. Rosalia's in Councilman O'Connor's district and he is going to be leading us in the Pledge of Allegiance. J.C.

J.C. Carr:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you. Thank you, J.C.

Ladies and gentlemen, I see a number of honored guests out in the audience today, and at this time I would like to call on Councilman Dan Cohen.

PRESENTATIONS

Mr. Cohen:

Thank you, Mr. President. Good afternoon everyone. I am sponsoring this resolution with Councilman Gene Ricciardi from the South Side. Would the folks from City Theatre and the Frankel family please come up here, please.

The Chair:

Let's not forget our celebrity, Mr. Masterson here, Director.

Mr. Cohen:

Members of Council and members of the audience, it is my honor to present this proclamation to City Theatre but especially to Mr. Bob Frankel. I think you are all familiar with City Theatre and the fact that it contributes so much to the culture of the City of Pittsburgh through the performing arts, also it does provide shows for students, public school students in the City of Pittsburgh and really puts on some entertaining shows there on the South Side.

City Theatre has put together and created an annual award and it, very fittingly, is named after a community leader named Bob Frankel. Bob Frankel has been devoted to the arts in the City of Pittsburgh for a long time, not only was he past President and current trustee or board member of the City Theatre, but he also is a trustee of Carnegie Institute, Three Rivers Arts Festival and

many other organizations. Moreover, Bob and his wife Rebecca and son Dan are friends of mine and it is a privilege to be able to give this proclamation to them. The City Theatre will be presenting this award on Friday, June the 3rd and they are going to have a special performance that night, Spalding Gray is going to perform what is called "Gray's Anatomy" -- and, Marc, you are going to have to explain that because I do not know exactly what that means -- but it should be a delightful night and I hope that everybody can attend.

So, it is my honor to read this proclamation.

MR. COHEN PRESENTS

No. 608 WHEREAS, Robert M. Frankel has tirelessly served our City in several leadership roles including past President and current board member of City Theatre, and Trustee of Carnegie Institute, Three Rivers Arts Festival, Presbyterian University Hospital and the National Foundation for Jewish Culture; and

WHEREAS, Robert M. Frankel has served the Pittsburgh arts community with distinction by leading City Theatre's growth from a small university-affiliated company to the independent well respected member of the performing arts community it is today; and

WHEREAS, Robert M. Frankel will be honored by City Theatre as the first recipient of the Robert M. Frankel Award, the prize to be given annually in recognition of significant leadership to advance the arts in our community; and

WHEREAS, City Theatre has raised more than \$22,000 to endow the Robert M. Frankel Award for leadership in the arts; and

WHEREAS, City Theatre will present the first Robert M. Frankel Award for leadership in the arts to its namesake on Friday, June 3, 1994 at its annual benefit performance, this year featuring renowned performance artist Spalding Gray in "Gray's Anatomy."

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend City Theatre and Robert M. Frankel for the extraordinary contribution both have made to the arts in Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Friday, June 3, 1994 Robert M. Frankel Day in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much. I mentioned that Bob has his wife Rebecca here and also his son Dan, whom I hope many of you know because Dan is a community leader as well in many different areas. But, we also have with us today Marc Masterson, who is the Producing Director -- is that your title?

Mr. Masterson:

Right.

Mr. Cohen:

-- of City Theatre, Leonard Perfido, who is architect and City Theatre current President. Thank you, Leonard, for being here. Dee Jay Oshry, who I hope many of you know for all of his work in the arts, and Dee Jay is City Theatre board member and also Chairman of the Frankel Award Committee. And, is there anybody -- oh, yes, hold on a second. We also have Rita Lowenthal and her husband, Jerry, who are all the way from Santa Monica, California. Thank you for being here.

I am very, very honored to present this proclamation to Bob Frankel. Bob, can you come up.

Mr. Frankel:

I am honored and gratified by the action of Council and my friend Dan Cohen and Gene Ricciardi from the South Side, who we first met when we began to explore sites for City Theatre in the South Side, but I am mostly honored by the achievement of City Theatre itself. I invite you all to enjoy it, and thank you.

The Chair:

Thank you.

Mr. Cohen:

I would like to ask Councilman Gene Ricciardi to come up here.

Mr. Ricciardi:

Thank you, Mr. Cohen.

At this time I just want to thank and commend all those associated with City Theatre because not only have they offered a fine service in the arts but they have been great neighbors to the people on the South Side, and I want to thank them for all their work in community affairs, which they do a lot of, and maybe Marc could take this opportunity to just talk to us about how we put City Theatre on to the roads and also into the South Side Hospital. And, again, I thank all of you for your fine efforts. Thank you.

Mr. Masterson:

I will keep the commercial brief. I will just say that thanks to Bob Frankel City Theatre was able to do what no one thought we would be able to do. We raised two and a half million dollars for our new facility on the South Side, created hundreds of thousands of dollars worth of jobs every year and do a wide range of community programs for the entire Pittsburgh community and we are very proud of that. We are very grateful to Bob Frankel for his leadership in helping us to accomplish our goals.

And, there are a few more tickets left for Friday night's benefit if anybody wants to come. Thank you.

Mr. Cohen:

What's the number? Give them the number.

Mr. Masterson:

Give them the number. Which number? I have numbers in my head.

The Chair:

Where would they get ticket information?

Mr. Masterson:

Oh, the phone number. Get out your pencils. The phone number is 431-4400. Thank you.

Mr. Cohen:

Would anybody else like to speak? Hearing none, congratulations to all of you, and let's get a quick picture with everybody in it. Where is our photographer?

The Chair:

Thank you all very much. Thanks for all your hard work in the South Side. Thank you. And for our City.

Mr. Cohen:

Would the folks from United Cerebral Palsy come up, please.

Members of Council, United Cerebral Palsy Association is a terrific organization here in the City of Pittsburgh, and I think that many of you are familiar with all that they do because they have been before this Council several times before, and they have the most dynamic Executive Director you could find in Al Condeluci, and he does a fantastic job, and we also have Mia Chambers here, who is a Coordinator for Casual Day, and Jan Bayfield, of course, is the Director of Development at UCP and does a terrific job.

UCP has a Casual Day coming up and that is what this proclamation is about. So, I am happy to read it as follows:

MR. COHEN presents

No. 609 WHEREAS, the United Cerebral Palsy Association works diligently to serve the needs of people with disabilities as they participate in the community; and

WHEREAS, United Cerebral Palsy Association of Pittsburgh will hold their popular fundraiser called "Casual Day" on Friday, June 17, 1994; and

WHEREAS, for a charge of \$5 an employee, employers can sign up their office as participants in Casual Day, allowing them to forego their ties, pumps and suits and dress in casual clothes for the day; and

WHEREAS, all participants will receive a Casual Day button to wear which will allow them free admission to an after work Casual Day party at Donzi's on the riverfront; and

WHEREAS, all funds raised stay in southwestern Pennsylvania and help provide education, job support, residential services, and advocacy to individuals and their families.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend United Cerebral Palsy of Pittsburgh and encourages all employers to participate in Casual Day; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Friday, June 17, 1994 United Cerebral Palsy "Casual Day" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. SMITH seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you all very much. Al, why don't you come up here and accept this, and tell us about Casual Day. Congratulations.

Mr. Condeluci:

Thank you so much, my friends on Council, President Ferlo and other members of the Council, Councilman Cohen, who very, very amply represents our district.

We represent UCP and the Center for Personal Development on the Centre Avenue section of Oakland and the center is really working toward a community where each belongs, and our work really is about full participation and full inclusion of all peoples into their neighborhoods and into their communities, and that kind of work, as exciting as it may be, does take some dollars to

make happen, and this event is really one of the fun ways that we raise some monies to help us with our budget and our services. And, as Councilman Cohen indicated, it is a nice casual way to support inclusion, to support full participation and to really allow us to create a community where each belongs.

So, we hope that any of you who are here in the audience, have a business or are tied to a corporation that might be able to support us on this event, as Dan said, for a \$5.00 donation on Friday the 17th you could dress casual, you can have an opportunity to come to the party at Donzi's and then make it down to the Three Rivers Arts Festival to see Livingston Taylor and some of the other fine acts that we have.

So, it should be a wonderful day in Pittsburgh, nonetheless, and we hope that you can make it a successful one for us by supporting Casual Day. Perhaps Council that day might be able to come without the ties and in the Dockers and whatnot. So, we sure appreciate it. Councilman Cohen, thank you for your constant support of our agency and our services.

Mr. Cohen:

Thank you, Al. Congratulations.

The Chair:

Thank you.

Mr. Cohen:

Thank you. I hope we all do dress casually that day.

Can Jan Bayfield come up here please and say a few words.

Ms. Bayfield:

Well, we thank you for this opportunity, and we are very excited about Casual Day. I just want to add one more little carrot to this whole idea, and that is for people who really want to get involved and want to be casual on that day, for a larger donation, for \$20.00 people cannot only get a T-shirt and the party and the button and the chance to dress casually, but you can get two chances to tickets for the All-Star Game. So, that might be

something since all Pittsburgh wants to be there. We hope that will help to increase some interest in that day for us.

Thank you so much for this opportunity.

The Chair:

Thank you all.

Councilman Smith, I believe you have a number of resolutions.

Mr. Smith:

Ms. Portis. Come on up.

What I am about to do is introduce many of my colleagues to a wonderful new program that is about to begin, and we actually owe it to Ms. Connie Portis, who is President of Renaissance Publications, and let me read the resolution so you will understand. Come on up, gentlemen.

MR. SMITH presents

No. 610 WHEREAS, on June 1994, Renaissance Publications, publisher of Pittsburgh Renaissance News, will declare June 1994 the First African American Men's Month to recognize the achievements of thousands of African American men in the Greater Pittsburgh area; and

WHEREAS, this effort will include the theme "Enough is Enough" to declare war against the denigration of African American men; and

WHEREAS, many African American men are good husbands, responsible fathers, conscientious workers, trusted confidants, loving, caring and sensitive role models, dedicated to their community, etc.; and

WHEREAS, Renaissance News will print stories that highlight the contributions of many men and recognize that the good stories about most men will never be told.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF PITTSBURGH recognizes the efforts of Renaissance Publications and its publisher, Connie Portis, as well as the supporters on record, for

highlighting the "Enough is Enough" campaign in the Pittsburgh community and hereby proclaims June 1994 as African American Men's Month in the City of Pittsburgh.

MR. SMITH moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Smith:

Thank you. I am going to have Ms. Portis come up and introduce the group and then have her explain what it is that makes this such a positive step in our community.

Ms. Portis:

I asked some friends to come down here with me today to accept this resolution, and I would like to introduce them to you, and they are all wonderful African-American men who are making a contribution to the community and I think they represent the thousands, hundreds of thousands of African-American men, not only in our City but across the nation, who are hard working, trustworthy, good citizens in contributing to the growth and development of our country.

David Moore is here, Reverend Samson Cooper, Presiding Arthur Maura; we have Samuel Richardson, Russell Bynum, Bernard Jones, Charles Powell and, of course, our own Councilman here, Christopher Smith.

But, you know, as I said to the people in -- to our readers, that we cannot begin to tell the stories of the hundreds of thousands of black men who are decent citizens who are uplifting our community, and also we cannot begin to tell the stories of those who may have gone astray and the reasons for why they went astray. So, we are not knocking those men who need our support although they may not be out here and able to help uplift the community. We are representing all of those men in our community whose stories will never be told and we want everyone to take the time this month to go down our checklist and find those men who fit the description that we have outlined in our newspaper, description of people who are honest, trustworthy, decent citizens, good fathers, caring friends, good husbands, wonderful brothers.

I could go on and on, and I am sure you do not have to look very far but sometimes we seem to think that we do, but you don't have to look very far to find them.

Since we started this campaign in our newspaper and asked people to send in names, 50 words or less, describing people in the community who you believe are uplifting and decent citizens, we have gotten lots and lots of letters. Just this past Friday we received letters from the 5th Grade class of St. Benedict The Moor, and I just want to read you one story that a young man sent in. "My Father. He was the father of four boys and a husband to our mother. He wasn't just a dad, he was also our role model. He was always doing for us, he even opened an ice cream shop for us. Now that he past away I can proudly say that my dad is the best in the world."

We have lots of stories like that, where children are now beginning to look around and say, yes, I know good people, I don't have to believe what I see on T.V. and the negative things that I read in the newspaper. So, hopefully if nothing else we are giving them hope for the future. Thank you very much.

The Chair:

Thank you all.

Mr. Smith:

As just a quick note. We could have filled this corner but many of them are out earning that living. So, please note that these are just a portion of the people who are changing the face of our community. Thank you so much.

The Chair:

Thank you all. Maybe Reverend Cooper would like to say a few words on behalf of the group.

Rev. Cooper:

President Ferlo, to the other members of Council, indeed it is a privilege to address you today. I feel at home here since I have been here on so many occasions. We are always grateful to have something positive in our community and we would like to thank you for this resolution which has been passed, and whatever you might do to

uplift the black male population we trust you will do it, because we all have one Father, who loves us all and we are brothers and sisters together. Thank you.

The Chair:

Thank you.

Mr. Smith:

Speaking of positive role models, I am going to move on to my next -- thank you so much.

Mr. Cohen:

Mr. President, before they go, real quick.

The Chair:

Mr. Cohen.

Mr. Cohen:

I just want to thank Councilman Smith for bringing these distinguished people into our Chambers today and for putting forward this resolution for African-American Men's Month, but also especially to Connie Portis at the Renaissance Publications for doing such a terrific job. I had the privilege of attending your gala event, I think it was a couple of months ago now, at the Carnegie Music Hall, and it was a fantastic event and just keep up doing the great work that you are doing.

Ms. Portis:

Thank you.

The Chair:

Thank you, Connie.

Mr. Smith:

Speaking of positive role models, Wesley A.M.E., Wesley Center, would you come forward.

I think that it is -- while they are coming up -- it is very true that one of the problems is the 32nd sound bites that the minority or African-American community gets in the media and so often the positive things don't make very good 32nd

sound bites. So, it is very important that we get the word out and, in fact, this is a church that has been in existence for 67 years, and so it did not crop up, it has been here and it has produced a number of community leaders. But, this is a resolution.

MR. SMITH PRESENTS

No. 611 WHEREAS, the Wesley Center A.M.E. Zion Church will celebrate their 67th Anniversary on the weekend of June 3, 4, and 5, 1994. This auspicious celebration will be dedicated to the resident Bishop, The Right Reverend Charles Herbert Foggie, Bishop Retired; and

WHEREAS, it is with a deep sense of graciousness and love that the church members of Wesley Center A.M.E. Zion Church salute Bishop Foggie for 50 years of committed and dedicated service to Wesley Center Church and the Allegheny Conference; and

WHEREAS, on Friday, June 3, 1994, at 7:00 p.m., a Banquet will be held at the Westin William Penn Hotel. The guest speaker for the evening will be the Honorable William A. Johnson, Jr., the first African-American Mayor of Rochester, New York; and

WHEREAS, Wesley Center Church believes that youth are our future and hope for the creative perpetuation of the church and its vitality in the community. The church supports the Allegheny Conferences' Youth-A-Rama Elimination Contest, "A Salute to Graduates," on June 4, 1994 at the Hyatt Hotel at 7:00 p.m. This event will honor and salute high school graduates for their academic achievements; and

WHEREAS, on Sunday, June 5, 1994 the Anniversary celebration will continue during the 10:45 a.m. worship service with Host Pastor, Reverend Dr. William R. Griffin. the guest speaker will be The Right Reverend Marshal H. Strickland, Jr., President Bishop of the Eleventh (11th) Episcopal area, Western West Africa; and

WHEREAS, the Anniversary Committee and the membership extend a cordial invitation to all elected officials in the City and County to join them in the festivities of their 67th Anniversary year.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh extends congratulations and best wishes to the Wesley Center A.M.E. Zion Church and declares June 3-5, 1994 as Wesley Center A.M.E. Zion Church Weekend in the City of Pittsburgh.

MR. SMITH moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Smith:

Congratulations. Reverend, would you like to be the first or --

Rev. Foggie:

I wish to thank the City Council for this very fine resolution, to our own Councilman, Councilman Smith, to President Ferlo, you have blessed us by allowing us to come and we are looking forward to as many of you who can come to our banquet on Friday evening and then on service Sunday morning. Again, I wish to say thank you.

At this time Mr. Doug King, who is our Chairperson for this anniversary, can fill you in on more details. Thank you.

The Chair:

Very good. Thank you for the invitation.

Mr. King:

To the President and members of Council and other visitors here, it is an extreme pleasure for us to be able to be here and to receive this proclamation from our own Councilman, Brother Smith, and we are just delighted that you have agreed to back him up in this resolution.

It is not regularly known in the City of Pittsburgh about some of the fine things in the Hill District. Most of you heard about Wylie Avenue days and you heard about the Crawford Grill and the other places in the Hill but not many of you realize that we did have a fine cultural center in Pittsburgh, and that was at Francis and Centre Avenue. There we have the Centre Avenue

YMCA and it used to be the Pittsburgh Courier had a building there. On the other corner was the Wesley Center A.M.E. Zion Church. This formed the culture center of the Hill District. Within four blocks of this area all of the major churches for the first 50 years of this City were in that area. We have some major churches now in East Liberty and other places, but that was the great cultural center of our people right there at the corner of Centre and Francis Street.

Now, the "Y" had their celebration the other day, we're having our celebration this weekend. On Friday we are having our banquet at the Westin William Penn Hotel, and on Saturday we will be at the Chatham Center to honor our youth, and then on Sunday we're going to have a great revival service at 10:45 a.m., and we are bringing in one of the best speakers that we have in Marshal Strickland. The Right Reverend Marshal Strickland is one of the outstanding speakers in the whole A.M.E. Zion Church.

And, I would like to make something clear to you right now, because many people mistake the A.M.E., that is the African Methodist Episcopal Church, but there is the African Methodist Episcopal Zion Church. We are the Zion. Both of these two organizations started back at approximately the same time, around 1790, and ours started in 1796, and at that time blacks were not permitted to get communion with the white, they weren't allowed to come to the prayer table at the same time and they had to sit in the balcony. So, they separated themselves, and that is where we got the African Methodist Episcopal Church. The A.M.E. Church started in Philadelphia under Bishop Allen, and we started in New York under Bishop Varin, and we are not the same thing. We started two different churches, we didn't start and separate, we started independently, and we want everybody to know that this celebration is the A.M.E. Zion Church. Thank you very much.

The Chair:

Thank you. Thank you all. Mrs. Brooks, thanks for coming out today.

Councilman, do you have one to be read into the record?

Mr. Smith:

Yes, I do.

The Chair:

Would the City Clerk please read the resolution to be read into the record.

MR. SMITH PRESENTS

No. 612 WHEREAS, the Good Shepherd Fellowship of Love Church is a non-denominational church, opened to men, women and children who desire to come. The church site is located at 2111-2113 Centre Avenue; presently it is at 2173 Wylie Avenue; and

WHEREAS, the Good Shepherd Fellowship of Love Church was organized one year ago as a subsidiary ministry under Bishop Donna J. Rice; and

WHEREAS, Elder Virgil McClendon is the Pastor and leader of this devoted flock of Christians, dedicated to sharing God's love to friends and foes alike; and

WHEREAS, Dr. Donna J. Rice is the Jurisdictional Bishop, overseer for the fellowship of Love, Inc., with Headquarters in Columbus, Ohio. Her dedication, love and zeal to spread the good news of God's love have already given her keys to the Kingdom; and

WHEREAS, the Fellowship of Love Church and all of its members lay down the red carpet and welcome Bishop Donna J. Rice to the City of Pittsburgh, in the name of the three great virtues of the Christian Church, FAITH, HOPE, and LOVE.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh officially welcomes Bishop Donna J. Rice, Jurisdictional Bishop, overseer for the Fellowship of Love, Inc., and her beloved husband Elder Gerald Rice, on this Sunday, May 29, 1994, and wishes them continued success as they serve mankind.

MR. SMITH moved to adopt resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Mr. Ricciardi, you have one to be read into the record, I believe.

Mr. Ricciardi:

Yes, thank you, Mr. President.

The Chair:

Thank you, Mr. Ricciardi.

MR. RICCIARDI PRESENTS

No. 613 WHEREAS, Boy Scout Troop 208 will celebrate its 50th Anniversary on May 20th, 1994; and,

WHEREAS, Joseph H. Linz, Sr., has been Scout Master for Boy Scout Troop 208 for 32 years and has been a part of the Boy Scouts for 45 years; and,

WHEREAS, the dedication of Joseph H. Linz, Sr. to Scouting has earned him a multitude of awards including the Silver-Tip District Award, the Scout Masters Key, the St. George Catholic Adult Medal and the National Humanitarian Award for the Red Cross; and,

WHEREAS, Joseph H. Linz, Sr. belongs to the Order of the Arrow in which he holds the highest title, Vigil, and has received the highest adult commendation in scouting, the Silver Beaver Medal; and,

WHEREAS, Joseph H. Linz, Sr. is 79 years old and continues to exhibit his enthusiasm and devotion to the Boy Scouts of America and Troop 208; and,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby congratulates Boy Scout Troop 208 on 50 years of service to the youth of the City of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh recognizes Joseph H. Linz, Sr. for his devotion to the ideas represented by the Boy Scouts of America and his many outstanding accomplishments.

BE IT YET FURTHER RESOLVED that the Council of the City of Pittsburgh declares Friday, May 20, 1994 both as "Boy Scout Troop 208 Day" and "Joseph H. Linz, Sr. Day" in the City of Pittsburgh.

MR. RICCIARDI moved to adopt resolution.

MR. CUSICK seconded the motion.

Which motion prevailed.

The Chair:

At this time I would like Mr. Connelly, Director Gaetano and the other folks from the Hockey Association to come forward.

I want to thank my friends from the ADA for being patient.

First of all, I want to wish Gene here a happy 39th birthday today.

Mr. Connelly:

Twenty-ninth.

The Chair:

Twenty-ninth. Excuse me, I'm sorry.

Members of Council, I would like to move the following resolution and ask for the support of all Pittsburgh residents.

THE CHAIR PRESENTS

No. 614 WHEREAS, Alan Rothenberg, the Chairman of Major League Soccer (MLS), is in the process of forming a Professional Soccer League in the United States which is being organized by Major League Professional Soccer, Inc. and is a subsidiary of World Cup USA 1994; and

WHEREAS, the selection process for which Cities will be awarded one of the 12 teams in the MLS is currently in progress; and

WHEREAS, the Pittsburgh MLS Bid Group, chaired by Eugene Connelly, is trying to obtain its goal of 10,000 season ticket deposits which will

enable the City of Pittsburgh to submit a bid for 1 of the 12 teams nationally; and

WHEREAS, a collective effort of Government, Business and Community is needed to reach the goal of 10,000 season ticket sales; and

WHEREAS, Eugene Connelly, the Chairman of Pittsburgh MLS Bid Group, along with Robert Vosmaer, a well known former professional soccer player, have dedicated their time and energy into bringing a Major League Soccer team to Pittsburgh and to the Western Pennsylvania area; and

WHEREAS, in order to insure that the City of Pittsburgh will be eligible for a Professional Soccer Team, the team needs the help of the residents of the Greater Pittsburgh area; and

WHEREAS, the Pittsburgh MLS Bid Group has received nearly 3,000 season ticket deposits and needs 10,000 to ensure that the City of Pittsburgh will be eligible for a Professional Soccer Team; and

WHEREAS, Western Pennsylvania is one of the 12 largest soccer communities in the United States with over 48,000 registered amateur soccer players, 5,000 registered coaches and 2,000 registered officials; and

WHEREAS, the Pittsburgh MLS Bid Group along with the City of Pittsburgh is counting on the support of Pittsburgh soccer fans in order to bring a Professional Outdoor Soccer Team to the City of Pittsburgh; and

WHEREAS, the City of Pittsburgh is now asking for your support in order to advance the sale of season tickets.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Alan Rothenberg, Eugene Connelly, Robert Vosmaer, Lou Gaetano, and Rich Maloney on their efforts to establish and advance a Professional Soccer League in the United States, and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh encourages all Pittsburghers, as well as leaders of business and community organizations to promote the advance ticket sale effort to insure that the minimum requirement of 10,000 tickets is met.

MR. CUSICK moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much. I would like to bring up Mr. Connelly and his other delegates here today. This is a tremendous effort and I know we want to be supportive. Pittsburgh is certainly home to a lot of great sports leaders, sports activities. This is a great possibility to yet expand professional sports in the City of Pittsburgh even greater. I think we have seen lately in the last three or four years, that I can recall especially, we have really seen a boom among young people here in the City that are more and more getting involved with Soccer, it is not as popular as it is in Italy yet but maybe it will be at some point.

So, I want to applaud this initiative. I think all of us want to encourage our residents to be supportive during the formative stages of this effort.

At this time I would like to call on Mr. Connelly and his guests. Thank you.

Mr. Connelly:

Thank you, President Ferlo. It is certainly a privilege and an honor for us to be before City Council, and I would like to thank each and everyone of the individual Council members for your support.

We are well on our way, we are moving right along and we have progressed. Since this report was written up, we have considerably more tickets sold and we are going to pursue it with great effort and hopefully able to achieve our ultimate goal.

I would like to introduce a few other people that have accompanied me here that have been a tremendous assist to us, and that is Renee Rose and Rich Maloney and Lou Gaetano, and I would like to ask Rich Maloney to make a few comments.

But, once again, I would just like to say thank you from the bottom of our hearts for something that we feel very strong on. It is the largest spectator sport in the world. It certainly is not

known in the United States like it is throughout Europe, but hopefully in our little way we can play a major part in bringing it to a great City like the City of Pittsburgh. Thank you.

Mr. Maloney:

We appreciate the recognition of our efforts in trying to bring a team to Pittsburgh. I have to tell you that Mr. Connelly was a little befuddled when I came to him and said, here's a great opportunity to bring Soccer to Pittsburgh, and he says, what does this have to do with the Regatta, Rich? And I said, Mr. Connelly, when you realize, or when you see the statistics and how overwhelming they are that Soccer is the sport of the 90's and it is the only natural progression for Soccer in the United States to be a professional sport, it makes sense. And, then when I showed him the economic impact of another professional franchise to this community, he overwhelmingly supported our effort. So, on Friday, thanks in a large part to the efforts of Renee Rose, we submitted the final bid proposal to the League, we had 3600 season tickets sold, we have some backups on the remaining tickets that have to be sold, which the League is still extending us some time, but by June 15th we hope to be up here telling everybody that there will be a professional franchise in Pittsburgh and Soccer will prevail in Pittsburgh. Thank you.

The Chair:

Lou, I don't know if you want to put a few words in -- you're all right. Okay. I've never seen you speechless.

Again, we are encouraging all residents to be supportive of this initiative. Mr. O'Connor is not here right now but I know he has been very supportive in his area with the Dynamo Soccer League, which has really mushroomed over the last few years, and I think in every one of our Council districts we have folks that are very excited in getting involved with Soccer. It is a great sport and we applaud your initiative. Thank you very, very much for coming out today.

We want a number for ticket information. Rich or Lou, do you have a phone number for ticket information?

Mr. Maloney:

They can call 261-7055.

The Chair:

261-7055. We got that number.

Last and certainly not least, we have some board members from the Western Pennsylvania Chapter of the Americans for Democratic Action. I would like you to come forward. Dr. Marcus, Mr. Freedman, Celeste Barron.

We have two great Pittsburghers being honored by the ADA in Washington, D.C. very soon and we want to applaud their initiative and hope you will give consideration to the following proclamation:

THE CHAIR PRESENTS

No. 615 WHEREAS, the Americans for Democratic Action was founded in 1947 and will be holding its 47th Annual Convention Banquet on June 4, 1994 at Washington's Omni Shoreham Hotel; and

WHEREAS, the Americans for Democratic Action and its Western Pennsylvania Chapter is made up of progressive Democrats who have distinguished themselves in the arena of liberal Democratic politics and who have worked over the years for peace, civil rights and economic justice for working people; and

WHEREAS, ADA's Annual Banquet this year will be saluting "Men and Women of Steel" and will be paying tribute to two outstanding leaders in this field, George Becker, the new president of the United steelworkers of America, and Molly Yard, an ADA Founder and former President of the National Organization for Women; and

WHEREAS, George Becker is a second generation steelworker who rose through the union's rank and file to serve two terms as International Vice President before his recent succession as the union's chief official, International President-Elect; and

WHEREAS, George Becker as Vice President of the USWA was instrumental in negotiating landmark contracts for the union in the aluminum

industry and heading the union's Task Force on the Environment; and

WHEREAS, George Becker is committed to many of the same ideas as the ADA in defense of thousands of working Americans who are now facing economic hardships; and

WHEREAS, Molly Yard, a founder of the ADA, has proven herself to be a key leader and figure in the movement of women's rights in regards to full economic, social and political rights; and

WHEREAS, Molly Yard has been involved in many influential Democratic political campaigns and movements for equality, justice, and social change; and

WHEREAS, Molly Yard has served as the Chair of the YWCA Civil Rights Committee of Greater Pittsburgh which helped write the policy which ended segregation in Allegheny County; and

WHEREAS, Molly Yard currently serves as Convener of the Fund for a Feminist Majority Foundation's Task Force on Women and Girls in Sports; and

WHEREAS, Molly Yard is currently a National Vice President of the ADA and committed to the struggle for full economic, social and political rights and equality for women of America.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh congratulates and salutes George Becker, Molly Yard and the Americans for Democratic Action for their dedication and commitment to social and economic justice and equality for all Americans; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the week of June 4, 1994 to be "George Becker and Molly Yard Week" in the City of Pittsburgh.

MR. COHEN moved to adopt resolution.

MR. SMITH seconded the motion.

Which motion prevailed.

The Chair:

Thank you all very much. The ADA has a very long and distinguished track record here in this country, it has forged us an important alliance with the union movement, in particular, lots of landmark social legislation over the years has been fought for and the lobbying efforts spearheaded by the Americans for Democratic Action. We have a local Chapter and several of the board members and officers are here, many of them are familiar faces here in the community and in these Chambers, and also Professor Marcus is a national board member of the ADA and I know, I believe, all the delegation will be at the awards dinner and we want you to please send our warm regards to Molly and to Mr. Becker, and I hope you will be helping to present the proclamation.

At this time I will call on Jerry Freedman. Thank you.

Mr. Freedman:

First we want to thank Jim and anyone else who participated in the decision to do this very justifiable thing. I think Molly and George Becker's history was adequately covered in the proclamation. When we stop to think of Molly Yard as being born and starting her life in China as a daughter of a missionary and what she has achieved in the meantime, it is a very awesome thing. The same thing with George Becker, who started on an Indiana farm and has ended up spending many years of his life here and with the United Steel Workers. Molly has just left her mark in every area of Civil Rights and human rights and womens rights and minority rights, and she will just go down in history, and George Becker is headed in the same direction.

And, on behalf of the Western Pennsylvania Chapter of ADA and National ADA, I am very pleased to accept this award. The reason we are accepting it here is that our National Convention is occurring this coming weekend at the Omni Shoreham Hotel and this proclamation will be presented to Molly and George at that time by the President of National ADA, Mr. John Lewis, the Congressman from Georgia. Thank you very much.

The Chair:

Thank you.

Mr. Cohen:

Mr. President.

The Chair:

Councilman Cohen.

Mr. Cohen:

I have to say at least a few words, Mr. President, if I could, just to thank you for honoring the ADA. The ADA is such a beacon of progressivism, and also for Jerry Freedman and Bill Marcus and Celeste Barron to be down here. I think that -- Celeste is no stranger to these Chambers, that's for sure, because she has been down here several times, I think was honored here last year, but I know I probably would not be in politics if it were not for Celeste, because when I decided to do something politically a long time ago, it was doing voter registration in front of the Giant Eagle on Murray Avenue, and if it had not been for Celeste, I don't think anyone would have come to our table, because everybody knew Celeste, but luckily a lot of people came, and otherwise I probably would have just said, forget it, and get out of this. Anyway, I just want to thank you for putting forward this resolution, and thank Celeste and Jerry and Bill for being down here.

The Chair:

Thank you very, very much. Thank you all.

Mr. Cohen:

Thanks, Celeste. Thank you.

Oh, I have one other thing. Mr. President.

The Chair:

Mr. Cohen.

Mr. Cohen:

The most important thing about Celeste Barron, and that is that she is the aunt of C.J. Liss, who works in my office, who does a terrific job.

Ms. Barron:

That actually is the most important thing.

The Chair:

I thought you were going to say her aunt was Florence Reizenstein, but --

Mr. Cohen:

No, C.J.

The Chair:

Very good. We wanted to make this a family affair and we achieved it. Thank you all very much and thank you for being patient today.

At this time we will move to presentation of papers.

MR. ONORATO FOR MR. O'CONNOR PRESENTED

No. 616 Resolution authorizing the issuance of a warrant in favor of Allegheny County in the amount of one thousand (\$1,000.00) dollars, in payment for the services provided to the City with regard to the costs incurred for the ceremony commemorating the 50th anniversary of the invasion of Normandy, "D-Day", furnished for the benefit of the City without previous authority of law; and providing payment thereof.--- (SPONSORED BY MR. O'CONNOR, MR. COHEN, MR. CUSICK, MR. HERTZBERG, MR. ONORATO, MR. RICCIARDI, MR. SMITH AND MR. FERLO)

Which was read and referred to the Committee on Finance.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. SMITH seconded the motion.

Which motion prevailed.

MR. ONORATO PRESENTED

No. 617 Resolution providing for the issuance of a \$8,580.74 warrant in favor of Lawrence J. Satariano for property damage. The City of Pittsburgh Water Department excavated and repaired a service line leak in front of the aforementioned property. In the process, the sewer lateral was crushed causing damage to claimant's property, chargeable to and payable from Code Account No. 46, Judgments.

Which was read and referred to the Committee on Finance.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Mr. O'Connor is at a Board of Code Review hearing right now, that is why he had to be excused, and he will be back over shortly.

MR. RICCIARDI PRESENTED

No. 618 Resolution providing for an Agreement between the City of Pittsburgh and Carnegie Mellon University, granting to Carnegie Mellon University the right to construct and maintain a building over a sewer line of the City of Pittsburgh on property owned by Carnegie Mellon University in the 14th Ward, 8th Council District of the City of Pittsburgh.

Also,

No. 619 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the design, lease purchase and installation of high pressure sodium street lighting for the Department of Public Works and providing for the payment of the cost thereof, at a cost not to exceed (\$3,368.49).

Also,

No. 620 Resolution changing the name of Ridgway Street to Arena Street between Ledlie

Street and 552 feet in a southwesterly direction to a dead end terminus located in the 2nd and 3rd Wards, 6th Council District of the City of Pittsburgh.

Also,

No. 621 Resolution granting unto Thomas R. Tripoli with an address at 20 South 14th Street, Pittsburgh, Pennsylvania 15203, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a total of eight (8) trees placed approximately eight (8) feet from the curb in the dirt portion of the sidewalk area along South Ninth Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Also,

No. 622 Resolution granting unto Co-Go's with an address at 2589 Boyce Plaza Road, Pittsburgh, Pennsylvania 15241-3981, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a planter, seven (7) shrub beds and a chain and a pipe railing in the 32nd Ward, 4th Council District of the City of Pittsburgh.

Also,

No. 623 Resolution vacating Stock Street between Ollie Street and Commission Way in the 31st Ward, 5th Council District of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

The Chair:

Obviously some of those bills are from the Committee on Public Works, I apologize, as well as Water.

Councilman Smith, Committee on Planning, Housing & Development.

MR. SMITH PRESENTED

No. 624 Resolution providing for the acquisition from CSX Transportation, Inc., of certain property located in the 6th and 9th Wards

of the City of Pittsburgh for Park purposes and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Planning, Housing & Development.

MR. SMITH moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 625 Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs in Community Development Neighborhoods, and for the development of floral beds on highly visible, vacant lots in the City at a cost not to exceed \$50,000.00.

Also,

No. 626 Resolution providing for an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for a cooperation agreement and a consultant or consultants for the purpose of providing transportation planning and engineering services to conduct a traffic study of Herr's Island, cost not to exceed \$25,000.00.

Also,

No. 627 Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the construction of Phase II of Station Square Road and providing for the payment of the cost thereof, cost not to exceed \$650,000.00.---(COUNCIL DISTRICT NO. 2)

Also,

No. 628 Resolution authorizing a 1994 Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer of funds in the amount of

\$71,980.60 from the Authority to the City to Fund Community Development Corporations.---(COUNCIL DISTRICT NOS. 1, 3, 6, 7 9)

Also,

No. 629 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Steven L. Monteverde for the sale of parcel 14A in the Twenty-Fourth Ward of the City of Pittsburgh in Redevelopment Area No. 48, at a cost not to exceed \$20,000.00 (PARKING).---(COUNCIL DISTRICT NO. 1)

Also,

No. 630 Resolution further amending Resolution #1455, effective January 1, 1994, entitled "Adopting and Approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program; and approving the 1994 through 1999 Capital Improvement Program, by creating a New line Item (Station Square Road).

Also,

No. 631 Resolution approving execution of a Contract for Disposition by sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Perry Hilltop Association for successful Enterprises, Inc., for the sale of Block 23-H Lot 229 in the 25th Ward of the City of Pittsburgh. The property will be sold for an amount of \$6,000.00 plus costs. (RESIDENTIAL REHABILITATION)---(COUNCIL DISTRICT NO. 6)

Also,

No. 632 Resolution approving execution of a Contract for Disposition by sale of land by and between the Urban Redevelopment Authority of Pittsburgh and East Allegheny Community Council, Inc., for the sale of Block 25-J Lot 54 in the 23rd Ward of the City of Pittsburgh. The property will be sold for an amount of \$1,000.00 plus costs. (PARKING)---(COUNCIL DISTRICT NO. 1)

Also,

No. 633 Resolution approving execution of a Contract for Disposition of Land by and between

the Urban Redevelopment Authority of Pittsburgh and Commonwealth of Pennsylvania, Department of General Services for the sale of parcel 4A in the Twenty-Seventh Ward of the City of Pittsburgh in Redevelopment Area No. 15, for the sum of \$30,000.00. (CORRECTIONS INDUSTRY BUILDING)---(COUNCIL DISTRICT NO. 1)

Also,

No. 634 Resolution authorizing the Urban Redevelopment Authority to acquire all of the City's right, title and interest, if any, to the Publicly-owned property in and 32nd Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block and Lot 95-P and Block and Lot 138-B-34, under the Residential Land Reserve Fund.---(COUNCIL DISTRICT NO. 4)

Also,

No. 635 Resolution approving execution of a Contract for Disposition by sale of land by and between the Urban Redevelopment Authority of Pittsburgh and Scott A. and Debra Ann Molitaris for the sale of Block and Lot Nos. 95-P-85 and 138-B-34 in the 32nd Ward of the City of Pittsburgh. Total purchase price of \$1,300.00. (RESIDENTIAL PARKING/SIDEYARD)---(COUNCIL DISTRICT NO. 4)

Which were severally read and referred to the Committee on Planning, Housing & Development.

THE CHAIR PRESENTED

No. 636 Petition from the residents of the City of Pittsburgh requesting City Council to conduct a public hearing on a proposed ordinance amending the Pittsburgh Code, Title Seven, Section 777.05 by am ending licensing fees for certain types of coin operated equipment.

Which was read, received and filed.

Also,

No. 637 Communication from Paul Hennigan, Director, Department of Finance submitting a report of deposits and market value of securities pledged as collateral by City Depositories as of April 29, 1994.

Which was read.

The Chair:

The petition is valid and we will schedule a public hearing as soon as possible.

And, I need a motion to receive and file the communication from Director Hennigan.

Mr. Hertzberg: So moved.

MR. CUSICK seconded the motion.

The Chair:

It has been moved and seconded. All in favor? The motion carries.

WHICH MOTION PREVAILED.

The Chair:

Mr. Cusick, did you have a comment?

Mr. Cusick:

Not at this time. Thank you.

The Chair:

Thank you very much. That finishes the Presentation of Papers. Are there any matters under Unfinished Business?

UNFINISHED BUSINESS

The Chair:

I believe a number of you did receive, or had forwarded to the Clerk's Office, or to my office, recommendations for the Ethics Commission. I know I have submitted a name, Councilman Hertzberg, Councilman Cohen. If others have not, please do it by the end of the day if you can, because we are going to send over those nine names; and, if not, I will have to pick some residents from your respective Council districts.

Mr. Onorato?

Mr. Onorato:

Mr. President, I am not sure, I have not been through all the mail in my mailbox, but have we received what I requested last week, and that is the breakdown geographically of where the current board members serving are located, so that we could have a representative of the City there; I do not remember seeing it?

The Chair:

I do not believe we did, but I will ask again. And, we will ask the Clerk to follow-up on that and report to Council by the end of the day, please.

Mr. Cohen, could you give us a brief report on the TCI situation and when we can expect a hearing process to pursue.

Mr. Cohen:

Sure, Mr. President. We had a discussion with David Wormser, the City Council consultant, just at the end of last week, and we are now waiting for TCI to submit its new rates based on the FCC's new regulations. The new regulations, at least, were interpreted to bring down the rates by seven percent, and obviously we hope that happens. So, TCI has to reconfigure their rates and submit them. We expect to have those rates really within a week or so. At that point then, we have 60 days, I believe, to be able to review the new rate submissions, have an evidentiary hearing and then make our decision.

The Chair:

I just want to be mindful of the August month, in terms of many schedules around here being confused.

Mr. Cohen:

That is true. And, I think when we get that, Mr. President, you and I should sit down and arrange a schedule.

The Chair:

Very good. Thank you. At this time we will move to Reports of Committees. Committee on Finance, Mr. Onorato.

REPORTS OF COMMITTEES

MR. ONORATO PRESENTED

Bill No. 638

Report of the Committee on Finance for May 18, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 602

A Resolution entitled, "Resolution transferring the amount of Ten Thousand (\$10,000.00) Dollars from Code Account 1687, Recycling, Index Code 168708, Bureau of Environmental Services to Code Account 1728-1, Premium Pay, Index Code 172817, Bureau of Parks Maintenance, both accounts within the Department of Public Works."--(PRESENTED BY MR. RICCIARDI)

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Cusick	Mr. Smith
Mr. Hertzberg	
Mr. Onorato	

AYES 6 NOES 1

(MR. FERLO, PREST VOTING NO)

The bill having received the legally required number of votes passed finally.

MR. RICCIARDI PRESENTED

Bill No. 639

Report of Committee on Public Works for May 18, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 574

A Resolution entitled, "Resolution providing for a Cooperative Agreement between the City of Pittsburgh and the Borough of Brentwood in connection with the milling and paving of Churchview Avenue between Sankey Avenue to Waidler Street and providing for the payment thereof by the Borough to the City of the Borough share of the costs thereof. At a cost not to exceed \$6,612.00."

Which was read.

Also,

Bill No. 575

Resolution entitled, "Resolution granting unto Joyce Kaloz with an address at 209 Marland Street, Pittsburgh, Pennsylvania 15210, her successors and assigns, the privilege and license to construct, maintain and use at her cost and expense, a fence, wall and wood deck in the right-of-way of Marland Street in the 30th Ward, 3rd Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 576

Resolution entitled, "Resolution granting unto Property Ventures, LTD., 330 Grant Street, Pittsburgh, Pennsylvania 15219, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a ring bus vault (electrical) in a portion of the sidewalk area along Seventh Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Cusick	Mr. Smith
Mr. Hertzberg	Mr. Ferlo
Mr. Onorato	(Pres't)

AYES 7 NOES none

The bills having received the legally required number of votes are passed finally.

MR. SMITH PRESENTED

Bill No. 640

Report of Committee on Planning, Housing & Development for May 18, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 323

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map Nos. 6 and 7, by changing from "M3" Light Industrial to District "S" Special District all that certain property bounded by: River Avenue the SP-2 zoning district boundary line located west of Herr's Island, the Allegheny River, and the Fort Wayne Railroad Bridge, 23rd and 24th Wards.(COUNCIL DISTRICT NO. 1)."

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Cusick	Mr. Smith
Mr. Hertzberg	Mr. Ferlo
Mr. Onorato	(Pres't)

AYES 7 NOES none

The bill having received the legally required number of votes passed finally.

MR. ONORATO FOR MR. O'CONNOR PRESENTED

Bill No. 641

Report of the Committee on General Services for May 18, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 570

A Resolution entitled, "Resolution providing for the authorization of the Mayor, the Director of the Department of General Services, on behalf of the City of Pittsburgh to enter into an Agreement, in form approved by the City Solicitor, to lease from the Beechview United Presbyterian Church, Owner, a parcel of land and building located at 1621 Broadway Avenue, Pittsburgh, Pennsylvania 15216, in the 19th Ward, for the purpose of a Community Oriented Police Mini Station."

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill? Mr. Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President. If one of my colleagues can help me with some information. Unfortunately, I missed the discussion on this bill, but it was my understanding from a previous bill, or previous discussion at our table, that the mini station was going to be located at the Senior Center in Beechview?

The Chair:

Mr. Cusick.

Mr. Cusick:

Yes. No, it was never even considered to be at the Senior Center, not that that was not our decision whether or not it was going to go there, we are only allowed in there 40 hours a week in our Senior Center.

Mr. Ricciardi:

I see.

Mr. Cusick:

But it was supposed to go above the Senior Center in a storefront area, unfortunately we had to move it up the street because that space was not available and we wanted to get it moving along.

Mr. Ricciardi:

Well, I am in full support of all your initiatives on this, and I think you have done a good job for the residents in Beechview, I just wanted to clarify that understanding that I had from a few months ago. Thank you.

Mr. Cusick:

Thank you.

The Chair:

You have heard the reading and title of the bill, is there any other discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Ricciardi
Mr. Cusick Mr. Smith
Mr. Hertzberg Mr. Ferlo
Mr. Onorato (Pres't)

AYES 7 NOES none

The bill having received the legally required number of votes passed finally.

The Chair:

Mr. Cusick, do you have a point of order?

Mr. Cusick:

May I ask that the comments be brought forward from Wednesday's meeting.

The Chair:

Yes, please bring the comments forward.

(REMARKS -- SEE ADDENDUM)

MR. HERTZBERG PRESENTED

Bill No. 642

Report of Committee on Parks & Recreation for May 18, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 573

A Resolution entitled, "Resolution amending Resolution No. 273 approved May 3, 1994, entitled, "Resolution providing for an Agreement or Agreements with various community

organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$135,200.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation, " by deleting St. Leo's Athletic Assoc. for \$3,000.00, and adding North Side Saints for \$3,000.00, and by deleting "United Community Council" and adding new line item "Carrick Community Council at \$700.00."---(SPONSORED BY MR. ONORATO)---(AS AMENDED)

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Ricciardi
Mr. Cusick Mr. Smith
Mr. Hertzberg Mr. Ferlo
Mr. Onorato (Pres't)

AYES 7 NOES none

The bill having received the legally required number of votes passed finally.

MR. CUSICK PRESENTED

Bill No. 643

Report of the Committee on Engineering and Construction, for May 18, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 569

A Resolution entitled, "Resolution providing for authorization to construct public sanitary sewers to serve fifteen (15) existing homes along Glasgow Street, Sacramento Street, Merwyn Avenue, Conestoga Avenue, Oterson Street and Washville Street in the 20th Ward of the City of Pittsburgh."

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill? Councilman Cusick.

Mr. Cusick:

Mr. President, I would like to make a motion to recommit, so that some questions can be answered. Mr. Ricciardi had made some concerns, not only as a Council person but as a member of the Water and Sewer Authority, so if we could recommit.

The Chair:

Motion has been made, is there a second?

MR. SMITH seconded the motion.

The Chair:

A discussion on the motion? Mr. Hertzberg.

Mr. Hertzberg:

Yes, I would, first, like my comments brought forward from the Standing Committees last week.

(REMARKS -- SEE ADDENDUM)

Mr. Hertzberg:

And, if Councilman Ricciardi wouldn't mind, I would like to hear his concerns. This is my own neighborhood and Council district.

Mr. Ricciardi:

I understand. Thank you, Councilman. First, let me state that the recommital in no way will

slow the project down because the project is being advertised, so it will be an additional week in limbo.

The concern that I have is that I have yet to receive the exact figures of the reimbursement from the Pittsburgh Water and Sewer Authority. Before this bill is released we must make sure that there are funds available from the Pittsburgh Water and Sewer Authority because if not the City of Pittsburgh must be prepared to pick up the additional cost of the sewer line itself. If the funds are available, they have yet to be placed or encumbered by the Pittsburgh Water and Sewer Authority, thus I believe that we need additional information from the Pittsburgh Water and Sewer Authority. Number one, are they going to pay the bill; number two, where are the funds going to come from; and, number three, the information from the City has yet to be shared with the Pittsburgh Water and Sewer Authority, meaning that the City Administration is just taking for granted that the Pittsburgh Water and Sewer Authority is going to pay that bill.

But, let me state, though, for the record, Mr. Hertzberg, that in no way will the additional week delay affect the project.

Mr. Hertzberg:

So, this will come in front of the Standing Committees tomorrow again?

Mr. Ricciardi:

Tomorrow.

Mr. Hertzberg:

And up for another vote, hopefully, in a week from now?

Mr. Ricciardi:

That is correct.

Mr. Hertzberg:

Thank you.

Mr. Ricciardi:

Thank you.

The Chair:

Could we have the Clerk or the committee chairman please make sure this information is available tomorrow.

Any other discussion on the motion to recommit? All in favor? The bill stands recommitted.

WHICH MOTION PREVAILED.

MOTIONS AND RESOLUTIONS

The Chair:

Under Motions and Resolutions, Councilman Cohen, then Councilman Smith.

Mr. Cohen:

Thank you very much, Mr. President.

Mr. President, members of City Council were briefed by the Administration last week regarding the financial package that is being put together for the Pirates. I appreciate the session that I had with Tom Cox and Mark Pollock and Steve Leeper, I think it was informative and I think we had a positive dialogue on the subject. Our vote on the Pirates alone will be one of the most important votes that this Council has taken in recent years, it involves eight and a half million dollars of tax payer's money, with expected lease concessions, 14 and a half million dollars, plus the future of our major league baseball team whose history cannot be separated from the history of the City of Pittsburgh.

My concern is that by the time the legislation is introduced in City Council, we will have very little time to get the information we need to make an informed decision. My understanding is that the City is committed to presenting this financial package to the Pirates, including lease concessions by July, and given that tomorrow is already June, I am concerned that there will be a very short fuse when the bill actually gets to City Council. For that reason I would like to begin seeking formal information from the Pirates now.

Essentially the City is being asked to be a bank for the Pirates with tax payer's money. Anyone who applies for a loan to a bank knows that they have to present a great deal of information before the bank will approve that loan. If you are a company you certainly would have to provide financial statements, especially income statements and balance sheets. I would like to ask, Mr. President, for the income statements and balance sheets for the Pirates going back to the last time that the City loaned them money in 1986. We should also formally request that Mr. Mark Sauer, the President of the Pirates, be prepared to appear before Council to answer any questions that we might have about the Pirates and the loan. A required personal appearance is also standard practice for somebody who is seeking a loan from a bank.

Mr. President, I am truly undecided on the issue and honestly I do not know how I could decide this issue until we receive the Pirates' financial statements and, of course, see the actual wording of the contract between the City and the Pirates. I love the Pirates and I am an adamant Pirates' fan, but I am not prepared to vote for a huge tax payer subsidy without seeing the loan agreement and also seeing the Pirates' financial statements.

So, I would like to make a motion for us to send a letter to the President of the Pirates, Mr. Mark Sauer, asking for --

Mr. Smith:

Second.

Mr. Cohen:

Thank you, Councilman Smith. -- asking for the income statements and balance sheets from 1986 through 1994. 1986, of course, being the last time the City loaned money to the Pirates. And, also, just asking for Mr. Sauer to be prepared to appear before Council to answer any questions that we may have once we have reviewed those statements.

The Chair:

Motions moved and seconded. Other discussion?

Mr. Onorato:

Discussion on the motion. I think that information would be very helpful. I only have a question on -- I was at one of the briefings, and I am not sure if the Administration already has that information and they are going to bring it to the table. I think the motion was to send it to Mark Sauer to request financial information.

The Chair:

Well, I think the first thing, let's put the bill on the table. We have no bill on the table. There is no resolution, at least to my knowledge, unless the Clerk can --

Mr. Onorato:

Mr. President, I am only making reference to the motion that we are ready to vote on. I agree.

The Chair:

Mr. Onorato.

Mr. Onorato:

And, that was my point, before I vote on this motion, I am not sure what the Administration is willing to bring to the table already before we go outside of that loop and dealing directly with Mr. Sauer, maybe they already intend to bring him or the financial records in front of us, I just don't know at this point.

The Chair:

Well, I think part of the resolution should be, when is it expected that the Administration will forward to this Council some formal resolution or action for this Council to consider and when and if that happens, and I believe that supposedly it will be shortly, what information, packet or justification will be supplied. So, I think Mr. Cohen's motion is akin to the process itself. Mr. Cohen.

Mr. Cohen:

Mr. President, I agree that it is difficult to address legislation that we have not received yet, but at the same time, you know that in the past -- I am not just talking about this Administration, I am really talking about the prior Administration -- we

would often get legislation at the last minute and then have very little time to be able to consider it and reach an informed decision. That's why, I think, because the time frame, in terms of the package that has to go to the Pirates, is short, that we need to start now.

I have had preliminary discussions with Tom Cox, the Deputy Mayor of the Administration, and I think that this can be worked out in terms of providing financial statements to the City Council.

The Chair:

Well, I trust the Administration in presenting this resolution is certainly prepared and able to supply whatever information or individuals we request. I want to make it clear to this body, before any of us votes on this, we're not voting on this in a vacuum without a public hearing. Let's make that clear right now. So, the Administration should be clear with their time table that this will require, as far as I am concerned, a public hearing. So, the sooner they get this information over relative to Mr. Cohen's point about a July time frame, the better off we will be.

Mr. Onorato, did you want to conclude your point?

Mr. Onorato:

Let me just ask, is the motion to send a letter to Mr. Sauer or to the Murphy Administration to have the information in front of us?

Mr. Cohen:

The motion is to send a letter to Mr. Sauer and to "cc" the Murphy Administration. They already know about it. But, I do think that we need to open up a line of communication -- the City Council needs to open up a line of communication with the Pirates as well, they are coming to City Council as well as the Administration to ask for this money, and I think that is a proper thing to do.

The Chair:

As a friendly amendment, Mr. Cohen, recognizing your request is for the Pirate organization to supply financial reports, I believe the Administration also hired independent contractors, consultants to do some

analysis, and I would like obviously those reports as well, not just the Pirates' reports but the reports from the financial legal firm that the Administration hired a few months back.

Mr. Cohen:

I do not care if it comes through Buchanan Ingersoll or through the Mayor's Office as long as we see them.

The Chair:

Thank you. Mr. Ricciardi.

Mr. Ricciardi:

Thank you. I think Mr. Cohen's resolution is a valid one. I think his remarks and his position has merit and is very clear. Obviously we have an important decision to make, Mr. Cohen, and we should have all the information, as much as possible to review, at the same time I think it is very important for us to review the studies from CMU and the Pennsylvania Economy League showing that tons of millions of dollars are pumped into the private sector because of the Pirates being in town, but this is more information that I would enjoy reviewing. I think we have to be very careful, obviously, and work very closely with the Administration on this call, or on this vote, and the reason is, hopefully all that information will be released. If any of the information is confidential for any reason, we should still be privy to that information, sitting down with the Administration to review that. Because, obviously, as Mr. Cohen had stated, we are in a form a bank making a loan; however, I think we have to be very careful on the position we take that the information -- that the Pirate organization realizes that the information we are looking for is for us to make a clear and intelligent decision on the vote that will be before us and not one that we will be exposing them, or exposing the organization to any, any type of issue, one that cannot come before the public, being a private matter. I am not an attorney and I do not know what would be private and what could be made public, but I hope hopefully we could find out what information is public, what information can be made private, but hopefully working very closely with the Administration on those matters. Thank you.

The Chair:

Well, with 21 million dollars into this deal so far, there better not be too much that is private. Councilman Smith.

Mr. Smith:

Yes. I would like to add to your motion, and that because it was discovered after we lent the 20 million that they had borrowed another 30 million from someone else and we had not been informed of that, just as you were mentioning, Councilman Cohen, about the banking institutions and that is what we are playing, that role, one is not permitted to take a mortgage out and then go borrow money once again and not have the ability to pay the debt service.

So, what I am asking for, and this gets down to players' long term payments, which is a system, and someone help me if I say this incorrectly, that when you pay a player two or three million dollars a year, you spread that out over the next ten years, as to the debt of the Pirates' organization paying their salary into the future, even if they are not still a contracted player, and not that I want to know names, but I would like all listing of future obligations of the Pittsburgh Pirates in terms of numbers, to both our loan, the 35 million dollar loan, and the other outstanding loans and any contract that has taken an annual expense and stretched it out into the future, where we may find out they owe another 40 or 50 million dollars in future monies to players under these contracts, and it is my fear that we will discover that they have done this to keep solvent and that there is probably a very large debt ratio owed to many of these players, even though we sold many of them off. So, I would like to add that, as every debt, future indebtedness of the Pirates, either from 1986 all the way through to the future.

Mr. Cohen:

Mr. President.

The Chair:

Mr. Cohen.

Mr. Cohen:

Mr. Onorato is the accountant and also member of the Stadium Authority, so I may have to defer to him, but on the balance sheet under liabilities that would be included, but Mr. -- Councilman Smith's point is very well taken, and that is that those should be broken down so that we know what the future obligations of the Pirates are, but I believe that would be in the liability portion of a balance sheet.

So, let's ask for a breakdown, is what I am saying.

Mr. Smith:

Well, I think it would be interesting. This is the same breakdown that we looked at and never found the 30 million dollar additional loan, and so I -- not that I am accusing anyone of anything but through various types of accounting people can present the picture that they want to present, and I am just asking that we ensure that the picture that we are given includes this new technical way of paying off baseball player's contracts into the future.

Mr. Cohen:

Yes. And that is also -- I'll stop. But that is also why we would want to ask Mark Sauer to be here, too, so we can ask him those questions, but I consider that a friendly amendment.

The Chair:

Well, I think we need to be fair to the Mayor and his Administration. I think many of you certainly know my view about this eight million dollar loan, I am not excited about it, and it is probably very unlikely that I would vote for it, but to the Mayor's credit and to his staff's credit, I mean they worked hard and I believe have done a lot of due diligence on the actual financial picture that the Pirate organization is in, all of that information has been independently verified and obviously that would include the liabilities that Councilman Smith has spoken about and obviously we would expect that information to be forwarded to this Council when and if the Administration presents a formal resolution.

Mr. Onorato.

Mr. Onorato:

Yes. I am glad to hear you say that, Mr. President, because as I am sitting here, I'll support the resolution, but I know I was in there with Councilman Hertzberg, and I've asked -- during our briefing I asked for this information before we voted on anything and I was assuming they were going to get it for us, and I would also just like to point out to the Murphy Administration's credit, this is the first time I have ever been called over to the Mayor's side of the hall and been briefed on the numbers of the Pirates, and I think they are doing exactly what we want them to do and that is to brief us beforehand before legislation gets here. And I know I made it clear in my briefing that I would like to see certain numbers, specifically the economic impact of having the Pirates here versus what the cost is to keep them here, and these types of numbers that Councilman Smith is asking for. So, I think we are all asking for the same thing, it is just coming out in different ways here. But I think we should not lose sight that, what you said, the Administration has been pretty open on this process dealing with the Pirates by briefing us and now coming to the table hopefully with the information in advance.

The Chair:

Councilman Cusick.

Mr. Cusick:

Yes. I would just like to say I agree very much with Mr. Cohen on this motion. I do not think Mr. Cohen in no way is accusing the Administration of not sharing information. I believe he is asking for them to share that information if they have it, if not, then we may have to involve others.

The Chair:

Nobody needs to be defensive from this motion.

Mr. Cohen.

Mr. Cohen:

Well, I do not think this is defensive, but I want to make it clear that this is in no way a criticism to the Administration, I started out by saying -- by thanking them for their briefings. I agree with what you, Mr. President, has said, and what Mr.

Onorato has said, that we have been briefed, we have been briefed a couple of times, I think that is great, but at the same time, before we can vote on this, we need to see the financial statements, and that is why I am asking for us to do that.

The Chair:

Thank you very much. Any other discussion on the motion?

All in favor? Motion carries.

WHICH MOTION PREVAILED.

The Chair:

Thank you. Other points under Motions and Resolutions? Councilman Smith.

Mr. Smith:

Yes. Could you help my memory. The stadium sign, did we decide to hold a public hearing --

The Chair:

We did not decide but there will be a public hearing. There was a protest, and I think -- not to delay the process in terms of any challenge to the court -- and there have been a couple incidents where in the past where an individual protested a conditional use and Council aired on the side at the advice of the Solicitor of holding a public hearing to hear people out and this protestant did request from the Clerk's Office an opportunity to speak relative to a public hearing. So, the legal mandate of a petition was not met, but since it is a conditional use, since the individual would have an automatic right of appeal to the Court of Common Pleas, I think we should air on the side of allowing the individual and others to speak. Maybe Mr. Craig will want to come down here.

Mr. Smith:

Well, thank you, because I have many residents who live across the river from the proposed sign.

The Chair:

Well, we are going to do this hearing very quickly, we are not messing around with --

Mr. Smith:

And I think that is fine, I think that we just need to have an opportunity to hear from those residents who are going to be directly affected. It is not an area to which there is no residential component. We have Mt. Washington across the river, Downtown directly across the river, and I think we need to hear from the individuals who have invested and made Downtown their home.

The Chair:

Mr. Onorato.

Mr. Onorato:

So, Mr. President, if you could just explain procedurally, this bill is up tomorrow on the agenda; is it going to be held tomorrow for public hearing and we will not have a preliminary vote tomorrow?

The Chair:

There will be no preliminary vote tomorrow and I have asked the guests who are invited tomorrow to please appear at the public hearing.

Mr. Onorato:

Hopefully within a month?

The Chair:

I think we can schedule this within the next ten days. We need to move on this very quickly.

Mr. Onorato:

That's all I wanted to make sure.

The Chair:

Mr. Cusick.

Mr. Cusick:

Under New Business.

The Chair:

Any other point on the sign issue? No. Mr. Cusick. Excuse me.

Mr. Cusick:

A petition was submitted today regarding my bill concerning increasing fees over electro-mechanical gambling devices. My office today met with Attorney Wayne DeLuca that had submitted the petition. Due to some wrong wording in the bill, after some talk with Mr. DeLuca we have an understanding if that wording is changed we will not need a public hearing, and I wanted to share that with you. I will change that at tomorrow's meeting. At this time I do not know if we will be ready to move on the bill. We may ask for a hold.

The Chair:

The bill will come up tomorrow on the agenda. Your plan is to make a motion by substitution or to amend the bill?

Mr. Cusick:

Absolutely. Absolutely.

The Chair:

I believe the bill has to go to the Board of Code Review also on fee increase. And in the meantime you are saying protestant has agreed to withdraw his petition, and if we could get something in writing addressed to the City Clerk regarding that issue.

Thank you very much.

Mr. Cusick:

All we need is something in writing from Mr. DeLuca.

The Chair:

Stating that he's asking to withdraw the petition on behalf of the petitioners.

Mr. Cusick:

Thank you.

The Chair:

Any other comments or discussion? I would ask that we formally receive a report from Chief

Buford regarding a couple incidents over this weekend, they certainly don't characterize the total police force, one was the incident of a young man, on the bicycle incident, another incident that I am sure some of you heard about regarding a person being arrested for some type of violation involving a dog, but we would like to get a report from Chief Buford -- spending the night in jail. So, we would like to get a report from the Chief on that, I called him earlier today but he was very busy today. So, let's get a report from the Chief on these two weekend incidents that the media focused in on.

Other comments? We need a motion to approve the minutes.

Mr. Hertzberg:

So moved.

MR. SMITH seconded the motion.

The Chair:

It has been moved and seconded. All in favor?

WHICH MOTION PREVAILED.

And on the motion of MR. SMITH

Council adjourned.

(BEGINNING - MR. HERTZBERG'S COMMENTS ON BILL NO. 569,
WEDNESDAY, MAY 25, 1994)

Mr. Hertzberg:

Good morning Director. This is the Sheraden area, correct?

Mr. Reginella:

Correct.

Mr. Hertzberg:

Is this the top of the hill, the Sheraden overlook area?

Mr. Reginella:

In the general area, yes. Running off of Glen Mawr Street if you will, which runs from Carson Street up the hill. We have a number of homes that presently are operating on septic tanks and of course the law requires that municipalities abate all such existing ones particularly when the citation from the Allegheny County Health Department is in place regarding the spillage of raw sewage onto the open space and that's essentially what we have so we need to move as quickly as possible.

Mr. Hertzberg:

This is all the places on septic tanks in that area that are all going to be hooked up now.

Mr. Reginella:

Exactly.

Mr. Hertzberg:

Unlike the boroughs outside of the city the particular property owner will not be charged with any kind of assessment.

Mr. Reginella:

I can't answer that. The issue of assessment remains very much an issue at this point. We from our department over the years have proposed various assessment formulas if you will to the Water and Sewer Authority and the city government jointly and a resolution of that debate has not come forth yet and basically I can tell you that the City takes the position that we reserve the right to at some future in point in time assess the property owners but there is no plan at this point to carry out any such assessment that I'm aware of.

Mr. Hertzberg:

As long as you have been with the department in these kinds of situations, what have you been seeing?

Mr. Reginella:

In this particular project we have not implemented any assessments to my knowledge in the last ten years.

Mr. Hertzberg:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

(BEGINNING - MR. CUSICK'S COMMENTS ON BILL NO. 570, WEDNESDAY,
MAY 25, 1994)

Mr. Cusick:

I'd like to say we opened this C.O.P. Station as of May 5th and Councilman Cohen was gracious enough to be there. I think it's been very successful in our neighborhood and I want my colleagues to know that the \$70.00 is only for utilities. This is in the basement of a church.

Mr. Hertzberg:

Did this already come up?

Mr. Cusick:

There was another site and unfortunately it didn't work out and we moved up the street.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

June 7, 1994

No.23

Municipal Record

ONE-HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
KURT J. SALAC.....Asst. City Clerk

Pittsburgh, PA
Tuesday, June 7, 1994

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We are very honored and pleased to have John Harris, Jr. here today to lead us in the Pledge of Allegiance; he is a 5th Grader at Westside Traditional Academy from Spring Hill on the North Side, Councilman Onorato's district, I believe, and his mom is here, Darlene, who is no stranger to City Hall. John, please.

John Harris, Jr.:

I pledge allegiance to the flag of the United States of America and to the Republic for which it

stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you. Thank you, John. Our City Clerk would like to give you a flag, a logo of the City and our Nation's flag.

PRESENTATIONS

The Chair:

Ladies and gentlemen, we have a number of honored guests in the audience today. Read and adopted. We will go with Councilman Dan Cohen.

Mr. Cohen:

Thank you, Mr. President. Good morning, members of Council and members of the audience. Would Pat Siger and Alan Siger and everybody from Israel Bonds come up here, please. Now is the time.

Members of Council, and everybody else, this morning it is my honor and pleasure to be able to present this proclamation to Pat Siger. Pat Siger is a human dynamo. I do not want to embarrass you, but it is true. She is bright, charming, incredibly energetic and luckily for the Pittsburgh community, her energy is devoted to improving a lot of others, particularly families and children in the Pittsburgh area.

Pat is Director of Family House, and many of you know about Family House, because it provides a home for patients and their families, who are really traveling from all over the world to the Pittsburgh area to be treated at our tremendous medical facilities here in Pittsburgh.

Pat also volunteers for numerous, numerous organizations, and I think that if I went through every one of them we would be here for an hour,

so I won't. Let me just say that a couple of them include: She's on the board of Magee-Womens Hospital, she is on the board of the Jewish Family and Children Services. I hope that you keep Magee in good shape, Pat, because my baby is going to be born there in a few weeks, so make sure that it is in good shape. And she does numerous, numerous things, and because of this good work she is being honored on Thursday evening at the Westin William Penn by Israel Bonds, and we have a number of people here from Israel Bonds, but before I introduce them, let me read this proclamation.

MR. COHEN PRESENTS

No. 644 WHEREAS, Patricia L. Siger, a prominent community leader, will be honored at the Shomrei Shalom (Guardians of Peace) Gala Tribute Dinner by Israel Bonds on June 9, 1994, in the Grand Ballroom of the Westin William Penn Hotel; and

WHEREAS, Pat Siger is the Executive Director of Family House, a non-profit charitable organization that provides a special "home away from home" for adult patients and/or families who must travel to Pittsburgh for treatment of serious or life-threatening illnesses; and

WHEREAS, Pat Siger is a member of the Executive Committee of the United Jewish Federation, a member of the Board of Directors of Shady Side Academy, Magee-Womens Hospital Foundation, Jewish Healthcare Foundation, Jewish Family & Children's Service, Pittsburgh/Tri-State Israel Bonds and is current Program Vice President of the Ladies Hospital Aid Society; and

WHEREAS, Pat and her husband, Alan, have three wonderful children: Rick, Steven and Carl.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Pat Siger for her lasting contributions to the Pittsburgh community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Thursday, June 9th, 1994, Pat Siger Day in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. SMITH seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much everyone. Along with Pat Siger we have with us this morning, as I said, Pat's husband, Alan; we also have the Chairman of the Board of Israel Bonds, Mr. Milt Eisner; the Executive Director of Israel Bonds, Harold Marcus; we also have -- oh, well, title. The Executive Director is Faith Weinstein. And, Harold, what is your title actually?

Mr. Marcus:

I do the work.

Mr. Cohen:

Yes, right, exactly. Anyway we have both of them from Israel Bonds. We also have the two co-chairs of the event on Thursday, Dr. Ellen Roth, and also Barbara Lehman. And, have I missed anybody?

Congratulations to all of you but especially to Pat Siger. Pat, congratulations.

Ms. Siger:

Thank you.

Mr. Cohen:

Let's have a round of applause for Pat.

Ms. Siger:

Thank you so much. I appreciate this, and I actually would like to accept this honor on behalf of the entire Jewish community and, of course, thank the Councilmen and the City for all of the longlasting support that the City has given to Israel and the purchase of Israel Bonds. So, thank you so much.

Mr. Cohen:

Now the Chairman of Israel Bonds, Milt Eisner.

Mr. Eisner:

Thank you, Dan.

As the Chairman of Israel Bonds it certainly is a pleasure to honor Pat Siger. Dan has already elaborated all the activities that she is involved in and I have worked with her on many of those activities, and she is certainly a true leader in the Jewish community and in the executive community and we are very honored to have Pat as our honoree this year. Thank you.

The Chair:

Thank you all and congratulations.

At this time, I would like to call on Councilman Bob O'Connor, I believe has one to be read into the record. I would ask the City Clerk to please read the resolution into the record.

MR. O'CONNOR PRESENTS

No. 645 WHEREAS, THE Myasthenia Gravis Association of Western Pennsylvania has chosen to honor Linda Dickerson of the Executive Report with the Art Pallan Humanitarian Award for her long-standing commitment to the people of Pittsburgh.

WHEREAS, the Myasthenia Gravis Association serves those people who have been affected by a disabling neuromuscular disorder, by providing social and psychological support, education, medical treatment, and support for research; and,

WHEREAS, among her many impressive contributions to Pittsburgh, Linda Dickerson serves on the boards of numerous organizations, is President of Riverview Publications, Inc., and publisher of Executive Report, servicing both the local and regional economies well, and is therefore well deserving of both the Humanitarian Award and Myasthenia Gravis Association's First-Ever "Rubber Chicken Roast".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend both the Myasthenia Gravis Association and Linda Dickerson for their dedication to improving the lives of people in Greater Pittsburgh.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare June 5, 1994 to be "Linda Dickerson Day" in the City of Pittsburgh.

MR. O'CONNOR moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Councilman Cohen, I believe you have some other guests here also.

Mr. Cohen:

Thank you. Would the students from Liberty School come up, please.

Members of Council, I am very honored and proud to present this proclamation to Liberty School students, especially in the International Studies Program and especially the Student Council of the International Studies Program.

MR. COHEN PRESENTS

No. 646 WHEREAS, Liberty Elementary School, located in central Shadyside, offers a bilingual (English and Spanish) Magnet Program called Liberty International Studies; and

WHEREAS, Liberty International Studies teachers and staff select a representative from each class based on excellence in leadership and scholarship to serve on the Student Council; and

WHEREAS, the Student Council serves as an exemplary forum for the students by showing them ways to solve problems in a peaceful way, lead classroom discussions and Student Council meetings and to serve the community; and

WHEREAS, members of the Student Council have engaged in many community-based volunteer projects, including providing toys and supplies to the Women's Center and Shelter, working as members of the Parent School Community Council and serving as official guides to visitors of Liberty School.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Liberty International Studies Student council for their contribution to their fellow students and the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Tuesday, June 7th, 1994, to be Liberty International Studies Student Council Day in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much.

Members of Council, Liberty School is really a marvelous school, and I think you are all familiar with the aspect of it, where we are renovating the playground of Liberty School, it has not been done yet but the money has been raised and a bid has gone out, and finally a bid is being awarded. So, we are going to move ahead pretty quickly to renovate that playground, and I thank all Council members in supporting me in that effort.

Here before us we have some of the students at Liberty School, the International Studies Program and we have the members of Student Council. I do not know if every one of you is on the Student Council or not, but it is -- yes. Okay. Good. I hope that after you see Council proceedings this morning, that your interest in public service is heightened and maybe one day we will see one of you in public service, either on City Council or in some other position.

And, we have with the children here, Ida Brown, and Ida Brown is the Student Council Coordinator who puts this all together. So, we really appreciate you being here this morning. And, what I would like to do is have Ida Brown say a few words and then hear from a couple of the students. Come on up. Congratulations.

Ms. Brown:

Thank you, and I would like to say to City Council that it is really a privilege to work with students at Liberty School who are in Student Council, they inspire me. For one thing they give up their lunch period every week to meet with Student Council and they are always filled with ideas of how to make the school better, how to help students get along and to think of projects that will help the school and the community.

Now, we have two students that would like to say something.

Mallory Podolsky:

Thank you very much, we are very honored to be receiving this proclamation.

Aaron O'Brien:

And we are proud to represent Liberty International Studies and to visit City Council to see government in the making.

Mr. Cohen:

Short and sweet. That was perfect.

I probably shouldn't do this because I'll probably get some of your names wrong, but I am going to try anyway. That was Aaron O'Brien, I believe, and Mallory Podolsky. Thank you very much for the two of you to speak today.

We also have with us today Kamilah Goodrich and Frances Taggart, Brigitte Bethea -- am I pronouncing that right? Great. Kyle Lewis, Robert Branch, Ellie Slavova -- well, maybe not quite right. Albert Manders, Jareau Jennings and Tamara Hampton. Did we miss anybody? What's your name?

Allison Schubert:

Allison Schubert.

Mr. Cohen:

Allison Schubert. Thank you for being here, too.

Thank you all for being here and we wish you the best of luck, and we gave each and every one of you a proclamation to take home with you. Thank you.

The Chair:

Congratulations all. Good luck on the playground project.

At this time I would like to have Trooper Wayne Wyant, Jr. come forward and with his mom and dad, his family and his best friends, and I would also ask Councilman Cusick to please join me with this resolution.

Councilman Cusick and I would like to offer the following resolution.

THE CHAIR PRESENTS

No. 647 WHEREAS, Wayne Wyant, Jr. is the first young man to achieve the rank of Eagle Scout from Troop 256, St. Canice; and

WHEREAS, Wayne Wyant, Jr. achieved this rank at the age of fourteen making him one of the youngest to be awarded the rank of Eagle Scout; and

WHEREAS, Wayne's service project for his attainment of the rank of Eagle Scout involved designing, recruiting, scheduling, collecting, and delivering food and volunteers to a food bank in need of the collected goods in time for the Christmas season; and

WHEREAS, historically, the food bank's supply has been emptied prior to the holiday season, but Wayne collected enough food and goods to last well into the month of March; and

WHEREAS, Wayne is a member of the high honors division at the Brashear High School where he has been elected by his teachers as one of two students in the entire school to attend a Young Writers Conference; and

WHEREAS, Wayne has continued to remain an active participant in athletics and extracurricular activities; and

WHEREAS, Wayne has earned a leadership role among his peers by voicing his opinions and

concerns as well as taking a stand on many controversial issues discussed in his classes.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Wayne Wyant, Jr. for his outstanding accomplishments in school, the community and scouting; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim June 7, 1994 to be "Wayne Wyant, Jr. Day" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much. I have known Wayne's dad for quite a number of years, he's one of our great City folks, City employee.

And, at this time I would like to have Councilman Cusick say a few words since many of the family members and Wayne live in the Council district from Mr. Cusick's area, and then I would like to have Wayne say a few words and then the other folks who want to back him up. Councilman.

Mr. Cusick:

Thank you everyone. I just want to let Wayne know how proud we are of you in District 4, Wayne, and not only District 4, I think the entire City. I think I can speak for all of my colleagues, as we say, congratulations on all your accomplishments.

Wayne Wyant, Jr:

Thank you very much.

The Chair:

Let's hear a few words from Wayne here. You came prepared.

Wayne Wyant, Jr:

Well, what kind of a scout would I be if I didn't.

The Chair:

That's right.

Wayne Wyant, Jr:

Councilman Ferlo, members of City Council, Troop 256, family and friends, thanks for this award. Although I am the one privileged to receive this, my journey to Eagle could not have been completed without the help of my Scout Master, my family and fellow scouts, and, of course, I thank God who blessed me with the abilities to accomplish the many tasks required by this rank. I will always strive to bring honor to this uniform by setting a firm example to other youth, the teens can be the future leadership of our communities.

I would like to share the words I have learned to live by: On my honor I will do my best to do my duty to God and my country to obey the scout laws, to help other people at all times and to keep myself physically strong, mentally awake and morally straight.

The Chair:

I do not know if the proud mom or dad want to say anything, you are welcome to. I am sure you are very proud of your son today, we all are. Our friend here on the far end told me he got his Eagle in 1938 -- I don't want to date you, but that's before a lot of our time here. And, obviously you are very proud and very appreciative of all the good work and we are particularly.

I know many Council members are active in their district around youth issues, working with young people and we really appreciate all the volunteers that work so hard in the troop and in the scouting organization. Thank you very much. Thank you all and congratulations, Wayne.

Wayne Wyant, Jr:

Thank you.

The Chair:

Good luck.

We have a couple of co-sponsors of the next resolution. Councilman Christopher Smith and Councilman Onorato, if you would like to come up and say a few words also. We have some honored guests here. I know Judge McLaughlin, if you want to come forward with the representatives and the volunteers from the Pittsburgh Project. If you all would like to come forward. We will maybe even get a group photo here.

We also have Saleem Ghubril here this morning. That is one of the spokesperson for this organization.

Members of Council, on behalf of my colleagues, I would like to move the following resolution.

THE CHAIR PRESENTS

No. 648 WHEREAS, The Pittsburgh Project is a Christian Ministry committed to involving young people in volunteer service to in-need families who live in Pittsburgh neighborhoods; and

WHEREAS, many of our City's residents who own their own homes find themselves unable to keep up with repairs because of age, poor health, death of a spouse or lack of financial resources; and

WHEREAS, The Pittsburgh Project has helped to meet the repair needs of Pittsburgh homeowners who were unable to maintain their homes, due to no fault of their own, enabling them to cease living in unsafe or unhealthy conditions; and

WHEREAS, The Pittsburgh Project has served as a model of cooperation and assistance, graciously accepting referrals from the City of Pittsburgh Bureau of Building Inspection and Housing Court; and

WHEREAS, The Pittsburgh Project will hold a "Building Dedication Service" on Thursday, June 9, 1994 at 6:00 P.M. to celebrate the recently completed massive renovations of the old Annunciation School on North Charles Street in the Central North Side which will now serve as The Pittsburgh Project's home, and will also serve

as an urban camp, retreat center and neighborhood meeting center.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby commends and congratulates The Pittsburgh Project for its work with Pittsburgh families in need and Pittsburgh youth; and

BE IT FURTHER RESOLVED by the Council of the City of Pittsburgh that June 9, 1994, is proclaimed to be "The Pittsburgh Project Day" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. SMITH seconded the motion.

Which motion prevailed.

The Chair:

I think the resolution is self-explanatory. I would like to call on our colleagues. I had one brief experience many years ago, I don't remember how many years ago, maybe five years ago, we had an elderly woman, who was pretty much dysfunctional, very difficult, on North Euclid Street, and the group was very active in helping this woman.

And, I want to applaud Judge McLaughlin here also, working with the City departments, it is a great organization, to help make referrals and we can really help each other.

At this time maybe my colleagues would like to say a few words. We will call on Mr. Ghubril. I do not know if the Judge or anybody else would like to say a few words. But, at this time, my colleagues.

Mr. Onorato:

Council President Ferlo is right, the proclamation speaks for itself.

I just want to personally thank you for all the help you provide to a lot of needy individuals in my district and outside of my district throughout the City, but also I think everyone should know the Annunciation School where I went to grade school has been closed since the early 1980's. So, you are also taking a building that has been an

eyesore for many years in our area and we have been looking for someone to take over a building of that size. So, I am glad to see that and hopefully I can make the ceremony, and keep up the good work.

Mr. Smith:

I just want to point out that these are our youth, the ones that the media says are so terrible and yet look at them and their participation. This is what youth are. That one percent that the media dwells on does not give the praise and the acknowledgement that these young people should get because of their willingness to volunteer to help other people. I am very proud that you are here and I want to thank each and every one of you, this is the right thing to do, and it really does make a difference in peoples' lives.

Judge McLaughlin:

Yes, as a Judge in Housing Court, so many of the people that appear before me as Defendants simply have not been able to take care of the situation that has been confronted to them through the Bureau of Building Inspection or the Allegheny County Health Department, and the Pittsburgh Project has just been a tremendous resource for the Court to be able to refer these property owners to the Pittsburgh Project, and we have gotten tremendous reports back on the wonderful work that's been done and then I can abate the case, which is wonderful. We basically work through our Housing Clinic, which is the arm of the Court that does investigation and probationary work around cases that are particularly difficult, and Elaine Wozniak is our Probation Officer there and coordinates these referrals. So, she is a tremendous resource to the Court as well.

And, I would like to introduce Saleem Ghubril as Executive Director of the Pittsburgh Project, and I think he will introduce the young people that are with us today.

Mr. Ghubril:

These are the cream of the crop, folks. This is as good as they get. They represent colleges across the United States and also in our area. These young people, there are 20 of us, I think, here right now, they make up our summer staff. These are

the men and women who will coordinate the service projects that will take place all over the City.

Our conviction is basically this for opportunities: That our young people today are dying for opportunities in which they can make a difference, places through which they can appear to be heroes and heroines, where they can impact the world around them.

This summer we will have 1200 high school and middle school students who will come from every corner of the City, also every corner of the country and Canada, to spend one week at a time living with us in that school building, the old Annunciation School on North Charles, which we have converted into a camp. They will live there for one week at a time. They will spend their days scraping paint, painting, cleaning, doing yard work, hanging drywall, repairing porches, pouring cement, replacing roofs, fixing, all sorts of things that a home owner may not be able to do on his or her own for reasons outside of their control. They will do that voluntarily; they do not get paid for that. They will put in nearly a million dollars worth of volunteer hours this summer into the homes of Pittsburgh home owners. It gives them also an opportunity to live out the faith which they profess, these are folks who profess Jesus Christ as their Lord and Saviour, to put their faith into action and live out those things which they believe to be true.

We are having our building dedication this Thursday night; we are having a pig roast, and for non-pig eating guests, we will have other kinds of meat. And, also, Roger Humphries and the R.H. Factor, one of our local jazz bands, will be doing a concert. The whole thing is free; you are all welcome to come, just call our office and we will gladly hold a spot for you and a slice of meat and some cool jazz.

Judge McLaughlin, thanks for your part. Elaine, we depend on you.

The Chair:

Thank you all. Again, on behalf of all my colleagues, we want to applaud each and every one of you for your tremendous contribution, and knowing many of the elderly people that you do help, in particular, in neighborhoods throughout

the City, on behalf of those individuals also, we just want to thank you from the bottom of our heart. Thank you very, very much.

We also have a resolution to be read and adopted, read into the record.

THE CHAIR PRESENTS

No. 649 WHEREAS, on June 4, 1994, The Greater Pittsburgh Alliance of Black School Educators will hold their Third Annual Conference and Scholarship Dinner at the Westin William Penn Hotel; and,

WHEREAS, this year's theme will be "THE STORY OF JEROME: You can't tame the angry lion and leave the jungle unchanged"; and,

WHEREAS, there will be workshops and presentations, exhibits and vendors for administration, teachers, parents and the community on the following subject areas:

Developmentally Appropriate
Practices/Vision 21;
Work Sampling/Portfolio Assessment;
Student Conflict Resolution/Mediation
Training;
Parent, School and Community
Partnerships;
Alternative Methods for Identification of the
Gifted Urban Learner;
Using the Whole Language Approach to
Teaching Read;
Treasury for the Young Learner; and,

WHEREAS, there will be speakers highlighted. The morning session will feature Captain William "Bill" Pinkey, the first African American to circumnavigate the globe, covering more than 32,000 nautical miles while broadcasting to 30,000 school children during his voyage. The afternoon session will feature Dr. Mary Montle Bacon, whose presentation will address "How to work with the unique/difficult learner."

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Sam Howard, Jacqui Miles and the entire membership of the Greater Pittsburgh Alliance of Black School Educators for their efforts and their leadership in overcoming the obstacles that confront our youth in their

pursuit of academic achievement; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh recognizes Saturday, June 4, 1994 as Greater Pittsburgh Alliance of Black School Educators Day in the City of Pittsburgh.

MR. SMITH moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

I would like to alert all residents in Council District 9, or organizations, in particular, if there is a need for a particular proclamation or resolution of this body, I would encourage the community residents to contact their City Clerk at 255-2138, or myself as Council President, we want to make sure that several of the neighborhoods that make up this Council District continue to be recognized, as well they should. So, please, if there are upcoming events, commemorative in nature, or other community functions that should be highlighted or individuals that should be recognized, would you please call our office. My office, as Council President, I'll be happy to introduce the resolutions on behalf of Council or our City Clerk at 255-2138.

At this time I would like to move directly to Presentations of Papers.

MR. CUSICK PRESENTED

No. 650 Resolution providing for the issuance of a warrant in favor of Thompson Construction in the amount of \$99,856.00 for final payment of work performed on the construction of EMS Station #10; and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 651 Resolution providing for an Agreement or Agreements, or the use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts for Construction of

a Pedestrian Walkway from Three Rivers Stadium to Point State Park, and for Construction Inspection Services for said project; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof. (Funds for this project (\$2,500,000.00) to \$3,500,000.00) are available in #S Code Account EC94-451, 3-13-01-4173-94, Index Code 871137. This Resolution also provides for the partial front funding of this project).

Which was read and referred to the Committee on Engineering and Construction.

MR. CUSICK moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Which motion prevailed.

Also,

No. 652 Resolution amending Resolution #226, effective April 6, 1989, entitled "Providing for a Cooperation Agreement or Agreements with Carnegie Library in connection with a Feasibility Study for Carnegie Master Program Study at the Branch Libraries; and providing for the payment of the cost thereof," by amending the title to read "Renovations to Carnegie Libraries".

Also,

No. 653 Resolution amending Resolution #188, effective March 30, 1989, entitled "Providing for a Contract or Contracts, or use of existing Contracts, for construction of the Southside Riverfront Restrooms; and providing for the payment of the cost thereof," by amending the title and by increasing the total project allocation by \$100,000.00 from \$175,000.00 to \$275,000.00.

Also,

No. 654 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Construction of Handicapped Ramps in Various Communities throughout the City of Pittsburgh; and providing for the payment of the

costs thereof, at a cost range of \$450,000.00 or more but less than \$550,000.00.

Also,

No. 655 Resolution further amending Resolution #1455, effective January 1, 1994, as amended, entitled "Adopting and Approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program; and approving the 1994 through 1999 Capital Improvement Program, "by transferring a line item (451 Stadium Ramp Improvements) from the Department of City Planning to the Department of Engineering and Construction, and by providing 1994 funding for said project.

Which was read and referred to the Committee on Engineering and Construction.

MR. CUSICK moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Also,

No. 656 Resolution amending Resolution #1455, effective January 1, "Adopting and Approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program; and approving the 1994 through 1999 Capital Improvement Program," by amending the title of EC94-129, Southside Riverfront Park Site Improvements and by amending the funding from \$175,000.00 RIRA to \$560,000.00 City and \$100,000.00 to RIRA.

Also,

No. 657 Resolution providing for the creation of a special trust fund to be known as the "Southside Riverfront Improvements Trust Fund" for the deposit of funds to be used for the Expansion and Improvement of the Southside Riverfront site.

Which were severally read and referred to the Committee on Engineering and Construction.

The Chair:

I would like to welcome into our chambers Dr. Jules Newman from the eastern part of our State, and he is the husband of Sandra Schultz-Newman, our distinguished member of the bench for the Commonwealth Court of Pennsylvania. Welcome. Welcome to the City.

MR. O'CONNOR PRESENTED

No. 658 Resolution providing for approving a Transfer of Interests Affecting the franchise of TCI of Pennsylvania, Inc. and authorizing Agreements to effectuate the City's approval.

Which was read and referred to the Committee on General Services.

MR. ONORATO PRESENTED

No. 659 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which was read and referred to the Committee on Finance.

MR. RICCIARDI PRESENTED

No. 660 Resolution authorizing the transfer of funds as invoices are submitted for the purchase of Asphalt at a cost not to exceed Thirty Thousand (\$30,000.00) Dollars from Code Account 03-01-40-0030-94, Index Code 875591, Asphalt Repairs, in the Department of Public Works to the Department of Public Works' Code Account AR, Index Code 250100, Asphalt Reimbursement Trust Fund.

Which was read and referred to the Committee on Finance.

Also,

No. 661 Resolution providing for the letting of a Contract, or use of existing Contracts for Fence Repairs for the Department of Public Works, payable from Code Account 03-01-40-0070-94, Index Code 875773, Fence Repairs, Department of

Public Works, and for payment thereof, cost not to exceed \$30,000.00.

Also,

No. 662 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for installation of Picnic Shelters with site amenities for the Department of Public Works, payable from Code Account 03-01-40-0080-94, Index Code 875740, erect non-permit pre-fab picnic shelters, Department of Public Works, and for payment thereof, cost not to exceed \$30,000.00.

Also,

No. 663 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for Concrete Repairs for the Department of Public Works, payable from Code Account 03-01-40-0050-94, Index Code 875658, Concrete Repairs, Department of Public Works, and for payment thereof, cost not to exceed \$57,000.00.

Also,

No. 664 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for various repairs and emergencies for the Department of Public Works, payable from Code Account 03-01-40-0040-94, Index Code 875625, Major Repairs and Emergencies, Department of Public Works, and for payment thereof, cost not to exceed \$60,000.00.

Also,

No. 665 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for Safety Surface Installation for the Department of Public Works, payable from Code Account 03-01-40-0054-94, Index Code 875682, Play Area Safety Improvements, Department of Public Works, and for payment thereof, cost not to exceed \$290,000.00.

Also,

No. 666 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for Safety Surface Installation for the Department of Public Works, payable from Code

Account 5-01-40-0054-94-515-94-01, Index Code 876029, Play Area Safety Improvements, Department of Public Works, and for payment thereof, cost not to exceed \$100,000.00.

Also,

No. 667 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for Asphalt Repairs for the Department of Public Works, payable from Code Account 03-01-40-0030-94, Index Code 875591, Asphalt Repairs, Department of Public Works, and for payment thereof, cost not to exceed \$61,000.00.

Which were severally read and referred to the Committee on General Services.

MR. SMITH PRESENTED

No. 668 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by further regulation signs and logos on the walls of buildings located in the "C5" Golden Triangle District when located higher than thirty-five (35) feet above grade and by prohibiting signs and logos above the roof or roof parapet in the "C5" Golden Triangle District.—(SPONSORED BY MR. FERLO & MR. SMITH)

Which was read and referred to the Committee on Planning, Housing & Development.

MR. SMITH moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

UNFINISHED BUSINESS

The Chair:

Under Unfinished Business, are there any issues to be brought up?

One is, relative to the bill that was introduced today regarding TCI, which would come up next week, I think we would like a formal memo from

the Solicitor and Director Miskovich regarding this issue; as well, I am specifically requesting for a letter or some type of indication from the Justice Department on whether or not they have either approved or disapproved of the corporate merger or takeover of TCI. I believe it has to be approved at the federal level.

So, I would like to have all this information accompanying the Council's review of this issue, which I believe comes up next Wednesday. There may be other issues relative to this legislation, which is requiring Council's deliberation and approval, that others may have concerns, and we should bring that to the attention of the Administration, so that we can deal with it next Wednesday, not have next Wednesday come and at that point ask for the information.

Councilman Cohen.

Mr. Cohen:

Thank you, Mr. President. I also thank you for that legal opinion because I think that is necessary. The reason we have to approve it is, because in our ordinance, our Code of Ordinances, and also in the franchise agreement with TCI, it does say that if there is a change of ownership of five percent or more, then we have to approve it.

We received a huge packet, this is it, from the General Services Department, and I think we need -- I am glad we did not waive Rule 8 this morning, because I think we need time to be able to study this packet. The bottom line, of course, is whether or not TCI can use this merger with Liberty Media as a means of hiding increased costs or raising rates for our customers, for TCI's cable customers, and I think that should be the focus of our attention.

Just on another front on the same issue, Mr. President. TCI is expected to file their new rates any day now, and those, of course, are the new rates under the regulations that the FCC just came out with. So, any day now we should be getting those rates, hopefully they will be considerably less than the current cable rates, and then we will be able to set a schedule for our evidentiary hearing and our decision.

The Chair:

Well, there are specifically two issues I would like the Solicitor and Director Miskovich focus in on relative to the bill that will come up next week, you touched on a little bit, but I want to know whether or not the Justice Department has already approved this or are we creating one big cable company in this country?

Secondly, as you know, Mr. Cohen, part of the methodology used in determining the increased rates has to do with the amount of purchasing of the programming. If that programming all of a sudden becomes owned entirely by TCI or TCI/Liberty, they will pass those costs on to us, much in the same way that the gas companies purchase their fuel and mark it up and pass the cost on to us through the utility and PUC approval process.

So, again, those are issues that I would like to have be addressed by Director Miskovich and the Solicitor in time for next Wednesday's deliberation.

Mr. Cohen:

I agree.

The Chair:

Hearing no other matters under Unfinished Business or reports of any special committees, I would ask that we move directly to Reports of Committees.

REPORTS OF COMMITTEES

MR. ONORATO PRESENTED

Bill No. 669

Report of Committee on Finance, for June 1, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 595

A Resolution entitled, "Resolution amending Resolution No. 181, Item A, effective March 22, 1994, which authorized the sale of a 3 sty. brk. apt. 619-621 Junilla St. 5th Ward, Block 10-G, Lot 160, to Hill Community Development Corporation for the sum of \$1,025.00". The reason for the amending resolution is to correct the lot size which currently reads 20 feet by 60 feet to read 40 feet by 60 feet.

Which was read.

Also,

Bill No. 596

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1994".

Which was read.

Also,

Bill No. 597

A Resolution entitled, "Resolution further amending Resolution No. 882 of 1993 as amended by Resolution No. 1334 of 1993 entitled "Providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act;"

Which was read.

Bill No. 598

A Resolution entitled, "Resolution providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act;"

Which was read.

Also,

Bill No. 599

A Resolution entitled, "Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Joint Initiative Program Single Point of Contact Project; providing for the execution of grant contracts and for the filing of requisitions and other data; approving the Joint Jobs Initiative Program Single Point of Contact Project Plan; providing for required assurances;"

Which was read.

Also,

Bill No. 600

A Resolution entitled, "Resolution providing for the authorization to make all legitimate expenditures for wages and fringe benefits for supervisor/participant workers' compensation, unemployment compensation, participant physicals, transportation, copier, supplies and administrative expenditures necessary to implement the Safe Summer '94 and 1994 Pittsburgh Partnership/Summer Youth Employment Program; providing for the periodic transfer of funds to reimburse for expenditures and providing for the periodic payment of costs incurred in the Safe Summer '94 and 1994 Pittsburgh Partnership/Summer Youth Employment Program thereof, total cost not to exceed \$579,000.00".

Which was read.

Also,

Bill No. 601

A Resolution entitled, Resolution providing for an Agreement or Agreements with various agencies for the implementation of the 1994 Pittsburgh Partnership/Summer Youth Employment Program; and providing for periodic transfer of funds to reimburse agencies for legitimate expenditures incurred, and for the payment of the costs thereof, total cost not to exceed \$25,000.00.

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

Mr. Hertzberg.

Mr. Hertzberg:

Mr. President, Bill No. 595, I thought I heard -- this is just an amendment for the amount of feet in a description of properties being sold, but I thought the Clerk read a different number of feet than I am reading on the ordinance. Would you mind re-reading that, title of that ordinance, No. 595.

Ms. Wasler:

It says, which currently reads 20 feet by 96 feet, to read 40 feet by 96 feet.

Mr. Hertzberg:

I thought you said by 60 feet in the initial reading.

Ms. Wasler:

I did say that. Yes, I did say that.

Mr. Hertzberg:

Since we have gone through the effort of correcting this, I want to be sure we read it correctly.

Ms. Wasler:

In the body it does say correctly, 20 by 96 to read 40 by 96.

Mr. Hertzberg:

That is how it should read?

Ms. Wasler:

Yes, the endorsement is incorrect.

Mr. Hertzberg:

Thank you.

The Chair:

Any other comments?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 8 NOES none

(MR. O'CONNOR ABSTAINING TO BILL NOS. 597, 598 AND 599; MR. RICCIARDI ABSTAINING TO BILL NOS. 597, 598, 599, 600 AND 601)

The bills having received the legally required number of votes are passed finally.

Also,

Bill No. 616

A Resolution entitled, "Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Allegheny County in the amount of one thousand (\$1,000.00) dollars, in payment for the services provided to the City with regard to the costs incurred for the ceremony commemorating the 50th anniversary of the invasion of Normandy, "D-Day", furnished for the benefit of the City without previous authority of law; and providing payment thereof.--- (SPONSORED BY MR. O'CONNOR, MR. COHEN, MR. CUSICK, MR. HERTZBERG, MR. ONORATO, MR. RICCIARDI, MR. SMITH AND MR. FERLO)".

Which was read.

Also,

Bill No. 617

A Resolution entitled, "Resolution providing for the issuance of a \$8,580.74 warrant in favor of Lawrence J. Satariano for property damage. The City of Pittsburgh Water Department excavated and repaired a service line leak in front of the aforementioned property. In the process, the sewer lateral was crushed causing damage to claimant's property, chargeable to and payable from Code Account No. 46, Judgments".

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

The bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

MR. SMITH PRESENTED

Bill No. 670

Report of Committee on Planning, Housing & Development for June 1, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 624

A Resolution entitled, "Resolution providing for the acquisition from CSX Transportation, Inc. of certain property located in the 6th and 9th Wards of the City of Pittsburgh for Park purposes and providing for the payment of the cost thereof".

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Mr. Smith.

Mr. Smith:

Everyone should have received a memo from City Planning addressing the cost, the tract acreage and the length of this site along the riverfront and I hope that it is adequate for Councilman Hertzberg, who asked some very valid questions, and that we will attempt, out of City Planning, to in the future have those questions in the original legislation so that it is a total understanding of what we are doing.

I would appreciate support of my colleagues to get this bill through, because as we are attempting to gather up and put together the land for the riverfront park, the longer we delay the more it costs us. So, I would appreciate support on this bill.

The Chair:

Thank you, Councilman Smith.

Again, this is in my Council district. The community has worked long and hard on trying to acquire this property. I applaud Mayor Murphy for his vision and wanting to look ahead at all of our riverfront and begin to become the purchaser of last resort, if need be, in order to make this riverfront park and riverfront trail a reality. This property will be part of a piece that will be packaged with the potential of a major economic development site of CMU and the Nassau Center, at the same time protecting the public's access in not only Lawrenceville but other neighborhoods throughout the City. And, I know the experience in the South Side Park is - although it may be located in the South Side, that many, many people from all of our neighborhoods enjoy and

participate in that amenity, and we would like to have the same kind of a situation here, and compared to the millions that we have spent on the North Shore, this is a drop in the bucket.

So, we want to make the improvements, we want to move ahead, but at any time when we have information regarding cost and square footage, we should try to make sure it is part of the legislation that comes over.

Mr. Hertzberg.

Mr. Hertzberg:

I have had all my questions answered through this memorandum and I support this legislation.

The Chair:

Very good. Thank you very much. And, again, I want to thank the Lawrenceville Development Corporation for their hard work on this whole effort.

Any other comments? Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES 8 NOES none

The bill having received the legally required number of votes passed finally.

MR. O'CONNOR PRESENTED

Bill No. 671

Report of Committee on General Services for June 1, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 593

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code Title One-Administrative, Article VII-Procedures, Chapter 161-Contracts, by adding a new Subchapter 161.26-Automobile purchase and lease contracts by the City of Pittsburgh.---(SPONSORED BY MR. COHEN)---(AS AMENDED)".

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Mr. Cohen.

Mr. Cohen:

Thank you, Mr. President.

This is the bill on City-owned cars, I think that everybody is familiar with it. Let me just briefly say that I think that this is a very reasonable bill; it is based on the principle that the City should not be buying cars for Administrators who use them almost exclusively for driving to and from work. We can no longer afford it, given the City's financial condition, and I pointed out last Wednesday that this bill could save anywhere between \$360,800.00 and \$852,800.00, depending on how many cars exactly City Council wanted to eliminate, but just if it wanted to eliminate those that are in the first section of the bill, that is a savings of \$360,800.00.

It is not much to ask, I don't think, Mr. President, for employees to be reimbursed for City mileage. That's the way it is done in the private sector. I pointed out last Wednesday that most major employers now are not providing cars to their executives, instead they are reimbursing them for mileage, and instead of being looser, we should actually be tighter with our money because this is taxpayer's money that we are talking about. Everybody goes to meetings late at night. We had right in front of us here members of the Boy Scouts, and the Troop Leader, I'm sure, goes to

Boy Scout meetings late at night and he doesn't get a free car to do it. And, whether it be a church function or an organizational meeting, whatever it might be, everybody else in the world goes to those meetings and uses their own car to go to those meetings. In this case what I am saying is, they should use their own car and be reimbursed for mileage, which is much, much cheaper than actually buying the car.

Although some people have said that City Council does not have the authority to do this, it is well within our authority to do this. The Home Rule Charter could not be clearer. Section 510 of the Home Rule Charter, under "Contract" says, "every contract relating to City affairs shall be authorized by resolution of Council." There is no question that these are contracts; they are contracts between the City and the Equipment Leasing Authority to purchase these vehicles and then to lease them from the Equipment Leasing Authority back to the City. So, it is well within our authority.

The Administration said on Wednesday that they want time to develop their own policy. I did not get the support for this last time, I would like Council to support it this time. I particularly want to thank Councilman Christopher Smith for his support on this bill. And, if it does not pass today and if the Administration does not eliminate cars, because that is what this bill is about, then I will bring this whole issue up again at budget time.

Thank you, Mr. President.

The Chair:

Thank you, Mr. Cohen. Councilman Hertzberg.

Mr. Hertzberg:

Thank you, Mr. President. And I would ask that my comments be brought forward from the Standing Committee's Meeting last Wednesday.

(REMARKS -- SEE ADDENDUM)

Mr. Hertzberg:

And, again, Mr. Cohen, I thank you very much for all the hard work you put in on this and also Mr. Smith. And the concept is a good one and one that was supported by everyone on Council. It is

unfortunate that we could not find room to compromise here. I mean it seems to be we either take all these cars right away and put them on the block or we do nothing, and that is very unfortunate. And I did want to amend this bill, because I believe the concept is a good one, and that on a case by case basis, we take a look at each one of these vehicles and make some kind of determination.

The Chair:

Mr. Cohen.

Mr. Cohen:

Thank you. I think Councilman Hertzberg has been somewhat misleading on that, and I want to clarify this. This bill does not take away all City-owned cars that are provided to employees to take home at night; in fact, it is not even half; in fact, it is not even a third. There are 98 take-home cars that are given to City employees right now, this bill only asks that 22 of them actually be sold and that all the rest of them, we ask the Administration to provide written justification for those and then Council take a vote on that. We have the authority to do this, whether Council wants to exercise that authority or not is another question.

The Chair:

Well, I do not support the legislation, as I stated last week, because of a number of issues I raised; however, I do support the intent of the bill, and if the Administration is confused or waylaid in any way, let it be clear to them today, while that this bill does not have support, I think the majority of Council members want scrutiny and wants the Administration, come budget time when we sit down in just a matter of a few short months and review the spending and the expenditures of each City department, we want clearly a reduction in automobiles provided to employees. Regardless of what the rational is, we know very clearly that some employees working for the Administration do not need, do not deserve and we cannot afford for them to have an automobile. That is very clear. I did not support the bill because I think it is misdirected in getting to the central issue.

As far as any notion of whether or not Council has the power, unless the Administration is

confused, once again, this Council clearly has the power to dictate what the automobile situation is going to be, and let's not have any confusion about that.

So, I look forward to some lively debate. I trust that the Mayor and his staff and the Administration, in preparing and looking at the hard numbers through the summer going into next year's budget, are going to come to the realization obviously that a number of cuts have to be made, and there are areas in terms of vehicles that are provided to certain staff people which can be eliminated and cut, and I believe that, and I would ask that the Administration come back with a plan; if they don't, then we'll have to do it for them later on during the budget proceedings.

Other comments? Mr. Onorato.

Mr. Onorato:

I would just like to have my comments brought forward.

(REMARKS -- SEE ADDENDUM)

The Chair:

Others?

Mr. O'Connor:

I would like my comments brought forward.

(REMARKS -- SEE ADDENDUM)

The Chair:

Mr. O'Connor. Thank you.

Hearing no other discussion, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". It has a negative recommendation. The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Smith

AYES 2 NOES 6

VOTING NO:

Mr. Cusick Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Mr. O'Connor Mr. Ferlo
 (Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

MR. COHEN PRESENTED

Bill No. 672

Report of Committee on Public Safety for June 1, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 592

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a psychologist or psychologists for professional psychological services for 1994 at a cost not to exceed \$60,000.00, and providing for the payment of the cost thereof".

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill? Mr. Onorato.

Mr. Onorato:

I would like to have my comments brought forward.

(REMARKS -- SEE ADDENDUM)

The Chair:

Thank you.

Since I had to leave the meeting, I hate to ask this question. Is this bill for the psychological services for police officers in need of assistance or is it for the psychological services in relation to

recruitment and training to personnel in Civil Service?

Mr. Cohen:

I think it is recruitment and training, Mr. President.

The Chair:

Thank you. Any other comments?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no".

Mr. Hertzberg:

Mr. President, I have just one last detail.

The Chair:

Yes.

Mr. Hertzberg:

I think it was the other way around, because I think we passed previously the legislation for psychological services for the recruitment. I think this is for the active on-going psychological evaluation that an officer might need, you know, someone on the line.

Mr. Cohen:

That is not my understanding.

Move to recommit the bill, Mr. President.

MR. SMITH seconded the motion.

The Chair:

The reason why I asked, for the first thing, for five years I voted against the consultant fees for the psychological testing in relation to hiring and training recruitment because I think it was culturally in class and race biased, and I am not going to vote in favor of it.

I do support the consultant fees for Public Safety and the Police Bureau, who is in need of hiring consultants to assist individual police

officers, who, from time to time, need assistance at the -- you know, when you have a murder scene, or the death of a child. I mean police officers oftentimes will obviously deal with things on a daily basis that we do not have to deal with, we want to be able to provide them services. That is something substantively different than the issue of how psychological testing is used in relation to hiring, which I have been opposed to in the past. So, that is the only reason why I asked the question.

Mr. Hertzberg:

Mr. President, that may have come up when you were out of town, the former, the hiring stage.

The Chair:

No, I was in town; it was last week. I left the meeting. And, for Mr. Cholodofsky out there, who reported I did not vote on the leasing of the automobiles, I had to leave the meeting at noon to meet with the rating agencies, otherwise, I would not have left the Council meeting.

Mr. Cohen:

But, Mr. President, I entertain a motion to recommit.

The Chair:

Motion to recommit. Is there a second?

There were no important bills when I was in Cuba. The motion to recommit has been seconded. All in favor?

WHICH MOTION PREVAILED.

The Chair:

The bill stands recommitted. Thank you.

MR. CUSICK PRESENTED

Bill No. 673

Report of Committee on Engineering and Construction for June 1, 1994 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 569

A Resolution entitled, "Resolution providing for authorization to construct public sanitary sewers to serve fifteen (15) existing homes along Glasgow Street, Sacramento Street, Merwyn Avenue, Conestoga Avenue, Oterson Street and Washville Street in the 20th Ward of the City of Pittsburgh".

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Councilman Hertzberg.

Mr. Hertzberg:

Thank you, Mr. President. I would like my comments from last week's Standing Committee Meeting brought forward.

(REMARKS -- SEE ADDENDUM)

Mr. Hertzberg:

I would also just like to call on Mr. Ricciardi because I do not believe he had any comments last week because he had this recommitted.

Is everything in order now, Councilman?

Mr. Ricciardi:

Yes. Thank you. If I could just have the floor.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President.

First I just wanted to thank my colleagues for their support in recommitting this bill. I wanted to make sure that the proper, necessary paper work and funding was in place on behalf of the Pittsburgh Water and Sewer Authority. It was in place, it was put together by the leadership of

Alan Hertzberg, who represents this district. But let me also state for the record, I have had some in depth conversation with Alan Hertzberg, who represents these people, that if there is any movement by the City of Pittsburgh and/or the Pittsburgh Water and Sewer Authority, to assess in any way these people, that I will not support that and use all my efforts to block that type of assessment through the Pittsburgh Water and Sewer Authority. The work was necessary and put together, and Alan Hertzberg needs to be commended for his fine work in his district. Thank you.

Mr. Hertzberg:

Thank you, Mr. Ricciardi.

The Chair:

Does that mean the next time somebody has a broken sewer line we're going to pay for it?

Mr. Ricciardi:

Excuse me. Who's going to pay for it? What was your question, Mr. President?

The Chair:

Are we now paying for sewer lines from peoples' houses out to the middle of the street?

Mr. Ricciardi:

No. When you look at this bill, Mr. President, this bill parallels, parallels other construction efforts throughout the City of Pittsburgh, including projects in the South Side and Crawford-Roberts Development. We owe these people the same type of services that we perform for new construction. So, if there's a line broke, from by your statement, they'll fall under emergency work and the Pittsburgh Water and Sewer Authority will pay for that also.

The Chair:

Very good. I am glad the papers are in order. Any other discussion?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all

opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo
	(Pres't)

AYES 8 NOES none

The bill having received the legally required number of votes passed finally.

Mr. Cohen:

Point of procedure.

The Chair:

Mr. Cohen, you had a point of procedure.

Mr. Cohen:

Thank you. Procedural, Mr. President, I neglected to ask that my comments be brought forward on Bill 593 about City-owned cars. Thank you very much.

The Chair:

Very good. We will bring your comments forward.

(REMARKS - SEE ADDENDUM)

MOTIONS AND RESOLUTIONS

The Chair:

Under Motions and Resolutions, Councilman Onorato.

Mr. Onorato:

I just want to remind everyone that there is a post agenda today immediately following this

meeting. We will take a five-minute break. That is regarding the train derailment on the North Side and just dealing with re-routing of trains throughout the entire City that are carrying hazardous materials.

The Chair:

Very good. Mr. Hertzberg.

Mr. Hertzberg:

Mr. President, I have been getting a lot of correspondence and also read in the Post Gazette, where there seems to be some controversy about the Vintage Grand Prix this year, and I see that we have a few Council members that are on there. I do not know how things are progressing or whether I could ask for a report from the other Council members that are honorary board members or whether we could ask for a report from the Mayor's Office on how things are progressing, but I know there has been a dispute brewing over the issue of paying for the City services that are involved there.

The Chair:

The only thing I know is, one, that Mr. Walko, unfortunately, has resigned from the board, which is unfortunate because he has been -- personally, he has been the cement and the glue and the leadership of that organization, probably since its inception. That is Mr. Don Walko. So, that is a little bit disappointing. I hope he would reconsider. However, obviously the event is well on its way, it will be well organized. I know there have been a couple of meetings with the board of that organization and representatives from the Mayor's Office, including Ms. Kelly and Director Miranda and others regarding the issue of cost recovery and reimbursement, possibly.

But, I think what the Administration's tact is, is to look at, what are all of the in-kind services that are provided by the City, albeit Public Safety, EMS, Public Works, things of this sort, and whether or not the leadership of the Grand Prix organization could find other ways, and more cost effective ways, to bring some of these services to the event. Those are some of the issues that I believe this committee has been working on. I do not believe the Administration, because I asked explicitly, they did not in any way offer any

ultimatum regarding any immediate fee that must be paid to the City in order for the event to proceed.

I think it is fair that the Administration, in light of the budget situation, meet with all of these special events groups and begin to plan out what the expenditure or what the in-kind and direct and indirect resources are going to be from City government.

But, I do not believe any bill has been presented to the Grand Prix, I hope that would not happen. It is a tremendous event, unlike the Regatta, Arts Festival and others that generate lots of money from concession fees and monies are made, which is good, we like to see entrepreneurs benefit, be they individual artists or concessionaires. The Grand Prix is a little bit different, it is an entirely volunteer organization, no paid staff, all of their generated revenue excess over expenditures goes to two very important non-profit organizations that provide a tremendous service to City residents. So, it distinguishes itself a little bit differently than the Regatta and some of the other events. So, I hope there is not going to be any last minute problems. I would encourage every colleague to speak to Ms. Kelly and the Mayor and others about how important that we feel this event is.

I do not know if that helps answer your question. Mr. O'Connor, I know you have been a supporter for many years.

Mr. O'Connor:

Yes, I have been involved with it and I think they are committed to have the race run and I know the Schenley Park organization is all for it.

But, I think you brought up a good point, maybe Judy Kelly should keep us informed instead of everybody lobbying everybody. I think we all support it, and if Judy Kelly would keep us informed of where they are at so it would make sure the race goes on. But, so far I understand that everybody is committed to make it happen.

The Chair:

Well, I just want to remind Ms. Kelly and the Administration that they should not only be enthralled with the once in a lifetime or once every 20-year event at the stadium for the All-Star Game,

that it is important that we have these yearly events, we want them to be just as excited, enthralled, with all these other yearly events that we put out, including the Regatta, the Children's Museum, the Arts Festival, all these different events, and we are hoping that as part of her responsibility she is taking seriously the issue of our coordination, cooperation in working with these important organizations. They bring -- I know the Holiday Inn is booked entirely for the period in which the Grand Prix is working, it is an all volunteer event. They really cannot and do not want to have it in any other place other than Schenley Park, which is a beautiful setting for the Grand Prix, and it is a tremendous event that is a big boost to our City. We will forward those concerns to the Mayor's Office.

Other matters. A couple things very briefly. I would ask as a follow-up, we have scheduled hearing on the issue of the eight million dollar loan to the Pittsburgh Pirate organization. I must say that we do not have -- this Council has not yet received any formal resolution or legislation involving the Pirates or the proposed eight million dollar bond issue. I thought it was going to come this morning, apparently that's not happening.

Accordingly, I would schedule the public hearing for the Pirates' agreement on Monday morning, June 20th at 10 o'clock a.m. We do not have a bill number but I would like to move ahead and schedule that time, because I know Council members need to get their schedules together. I had originally picked a date that conflicted with the Stadium Authority Board meeting.

So, it is going to be Monday, June 20 at 10 o'clock. We are going to advertise that date, I am not changing it. So, one way or the other we would like to see the bill from the Administration come over; if it comes over next Tuesday, or the following Tuesday, it should not be a problem, but I would like to move this along. Obviously the Administration contends there is an urgency regarding this money and we would like to lock in a public hearing date. So, it will be Monday, June 20 at 10 o'clock a.m.

In addition, obviously, we have asked a number of individuals to be at this hearing. At the earlier meeting last week we asked Mr. Sauer and/or other representatives of the Pirates' organization to be available that day. So, we would like to have the

Clerk notify them of the formal hearing; as well, certainly we would like to hear from the public, be they in support or in opposition or whatever concerns they have regarding this expenditure.

And, I have two other specific requests. When I was first briefed with other Council members about this proposal I specifically asked that the Mayor personally make an overture and communicate to Commissioner Foerster and the Board of Commissioners regarding this eight million. I do not know that there has been any progress to date on that specific request.

So, my request to the Mayor is to communicate back to this legislative body what progress, if any, or what response, if any, came from Commissioner Foerster and the other commissioners regarding my request, which I think others also spoke about, was the involvement of County government in the actual eight million dollar indebtedness. I am not talking about other third-party arrangements involving infrastructure of the stadium, or road access or parking lots, or anything like that. I am talking specifically about the issue involving the eight million.

As well, I raised tactically the issue that, if we are going to go to the County, I do not think we should go hat in hand, I think we need to look at and put on the table for discussion potentially new arrangements in the future that could be worked out regarding not only the financing of the Pirates' organization, but the future arrangements regarding the operation of the stadium itself and all of the burdens that it represents. I think we should lay on the table those various options where we may want to obviously involve the commissioners in a decision making way on the stadium board.

So, I would like to see those issues discussed by the Mayor with the commissioners and I would like to see a report back to this body in time for our deliberation on the 20th public hearing.

I also would like to direct our staff, Mr. Keller, specifically, to prepare a financial report on any and all expenditures and obligations and actual revenues that we receive both direct and indirect; for instance, how much parking lot revenue comes from the parking lots in Councilman Smith's and Councilman Onorato's district when there is a Pirates' game. I would like to know what all those

revenue issues are in addition to the report that CMU did, which was kind of more general, about the multiplying effect of the economics. I would like to know directly into the City operating budget what are the direct and indirect revenue sources.

So, if Mr. Keller and others from the Council staff could begin to work on that, I think it would help frame the discussion and the debate that we need to look at when we have the public hearing.

I have a few other announcements regarding our summer schedule and some other public hearings, but before I speak on that, Councilman Cohen, did you have a comment on this?

Mr. Cohen:

Yes, on the Pirates. Mr. President, thank you for bringing up the subject again.

I would hope that we would have the Pirates' financials well in advance -- financial statements well in advance of the public hearing on June the 20th. My understanding is they are being prepared, and I would hope that we would have them well in advance.

I support your request about information relating to us trying to get the County to step up to the plate on this issue, too. Clearly the Pirates are a regional asset and, therefore, the County should participate in the funding. There is just no question about it. Frankly, it should be the five-county area that participates in this funding because the Pirates draw spectators from the five-county area, not just Allegheny County. But, I would like to see all written -- particularly written correspondence between the Mayor's Office and the County Commissioners regarding this issue.

And, finally, just one other request to add to yours, Mr. President, and that is, about these lease concessions. The Mayor's Office is supposed to provide six million dollars in lease concessions to the Pirates as part of the same package, plus the eight and a half million dollars in loans. I would like to ask for a written legal opinion from our Solicitor as to whether or not Council has to approve lease concessions at the stadium. I know that issue will come up and we should have a legal opinion on that.

The Chair:

Thank you very much. We would like to direct that question, additional questions, to the Solicitor in time for the hearing on the 20th.

Councilman Hertzberg.

Mr. Hertzberg:

Mr. President, I want to commend you on your initiative relative to the County and this proposed loan, I know that was probably your first reaction when we were all briefed on it by the Mayor almost a couple of months ago now, I think.

Would it be inappropriate to invite a representative of the County Commissioners to come to the public hearing and comment if they would desire?

The Chair:

I have no problem with that. Obviously we would like to extend invitation to anyone, including our commissioners, but clearly these are delicate negotiations and I think we have a quarterback, not a baseball player, but a quarterback, and that is the Mayor, and I think we want to rely on him to negotiate and speak directly with Commissioner Foerster and that body, I think they need to do that and in whatever delicate way they need to begin to do it.

But, I think we want to put him on notice that we want these issues explored and we would like to hear back from him directly to us prior to our deliberation on the eight million dollar issue. I would hope that is actually happening. I do not know that it is at this point. And, I do not think that I am speaking alone about this issue of inviting the County's participation.

In response to Mr. Cohen, I do not think we are talking about going hat in hand, I am talking about their involvement in the decision leadership way on any future board or some other type of entity that might actually operate the stadium or involve themselves with the loan to the Pirates. So, I am not looking for a hand out, I am asking that the Mayor consider not only approaching them for the money, or part of it, but that we look at other arrangements where they can have some decision making input into the stadium. I don't

think they are just going to write a check without having some input or some say so. And, I think those are some of the issues that I would like to see the Mayor negotiate.

But, I agree, we will provide --

Mr. Cohen:

I wasn't suggesting -- especially, a hat in hand analogy, I think, is not an appropriate analogy when this is an asset that provides a great deal of revenue for them. It is not as if we are asking for money for something for ourselves, it provides a great deal of benefit, economic benefit to the County as well as to the City. So, I do not think we are going hat in hand, and I agree, a negotiation process should include control issues as well.

The Chair:

And, two other things I think clearly we would like to have, so that we can vote intelligently on this in time for the public hearing on the 20th. One is, I would like a specific legal memo from the Solicitor or whoever the consultants are working on this, regarding this issue of the favored tenant status. To the extent that we do something to better the financial health of the Pirates, albeit direct loan, renegotiation of the lease, concessions, what have you, those are issues that will also affect our relationship with the Rooneys and the Steelers' organization. So, I do not know that we can vote on this in a vacuum. I would like to have an understanding when we do this what else will be kicked in in terms of a requirement of local government to assist with the Steelers because at some point that is going to come up and I do not think we should be voting in a vacuum on this issue, and I think the public needs to understand that.

And, secondly, if I understood the commitment initially from the Mayor, it was that this money would actually leverage the contributions from the current owners in the private sector. I would like to know, do we have that letter of commitment or will we have it in conjunction with our vote or is it a situation where we are being asked to approve something without having that letter in place. If I go to the bank for a loan I got to show collateral and anybody else would have to have the same thing.

So, either that is real or smoke and mirrors; if it is real, then I think this Council would like some formal letter from the Pirates' organization regarding their commitment to -- the Mayor had suggested a significant amount of money which they must generate to kick in this loan on the part of the City eight million. Well, I would like to see that commitment letter, I do not know if we have it, or if it exists, but I would certainly be asking some of those questions during the public hearing.

Mr. O'Connor.

Mr. O'Connor:

Just to elaborate on one of your questions. I asked, and I was told that we were to receive, what are the direct benefits, as you said, from the parking tax, amusement tax, and I have been told that is roughly two million dollars. Mr. Keller, would you please follow-up to -- we have requested that -- I requested it actually a couple of months ago and have not received it and in the meeting last week I requested it again. That makes it a lot easier sale, if it is an actual two million dollar cash for us that we see every year that we would be losing if they left.

And, the other --

The Chair:

Recognizing in January that five percent amusement -- that the 10 percent amusement is going to be cut to five percent.

Mr. O'Connor:

Yes, that will be cut. That is going to be cut in January, too, and that is a part of it.

The other thing. I know we are looking at two aspects here, I think, at short term, but I know I was criticized from the Administration maybe six months ago to bring this up, or four months ago that we should be addressing this as a regional problem, and I was told that I was too soon and to sit back, and I think it is time that we -- our backs are against the wall when we probably have to make a short-term decision, but I do not believe it is too late, that we better start addressing -- even the State, the State should be involved with this. If this was a factory that produced a regional asset of 80, 90 million dollars, believe me the State

would be involved very heavily here, and they are involved in other stadiums, in Ohio and in Baltimore. So, I think we are missing the boat by not including them. I do not know if we can do it on this short term, two, three-week answer that we need, but the long-range answer, there should be some subsidy there from them.

The Chair:

Very good. Other comments? Mr. Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President. I support your request for additional information. I would also ask Mr. Keller, while he is researching the tax revenues that are pumped into the City Treasury, if he could also critique the CMU study and the Pennsylvania Economy League study and the monies that are also pumped into the private sector, I think that is very important information and it needs to come forward. Obviously I hope Allegheny County, and as Mr. O'Connor had stated, the Commonwealth of Pennsylvania, and others step up to the table and realize their responsibility in saving the Pirates; however, let me state for the record that my support, which I have already stated, my support for this loan does not rest upon Allegheny County's decision to become part of the process. If they decide not to become part of the process I am still willing to move forward.

Concerning the cut in the amusement tax, which obviously comes about because of the one percent sales tax, I hope the cut in the amusement tax specifically or directly translates into a cut in ticket prices for all sporting events and it is passed on to the consumer. That is something I am hoping that the sporting events and others do not decide to just put into their own treasury.

On another note, if I could just state, Mr. President, that in order to be in compliance with the Pittsburgh Code, I supported and spoke in favor of the piece of legislation that you drafted on the conditional use for riverboat gambling. Can I ask, have you decided or have you yet scheduled the public hearing?

The Chair:

Yes. Very quickly. On two public hearings coming up, first of all, we have a number of public hearings. We're going to have a busy month because of a lot of zoning bills. Public hearings are required for the business improvement district along Highland Avenue and other pieces of legislation that have been introduced affecting some of the neighborhood zoning. But, specifically on the two bills relative to riverboat gambling, the public hearing is on Wednesday afternoon, July 6 at 2 o'clock p.m. That will be on Bill No. 355. That is the ordinance actually creating a conditional use procedure, and Bill 117, which actually lists and stipulates in each one of the respective zoning codes the particular uses along the riverfront, albeit in light industrial, commercial, special, et cetera, that riverboat gambling would be allowed in the conditional use.

So, that public hearing is Wednesday, July 6, 2 o'clock p.m. Any resident, business, entrepreneur or others interested in having a copy of this bill, you can contact Councilman Ricciardi's Office, my office, or the City Clerk. If you want to speak on this public hearing, please call the City Clerk's Office at 255-2138.

Mr. Ricciardi:

Thank you.

The Chair:

Thank you, Mr. Ricciardi. Very quickly. I was also contacted recently by folks from the Film Office and I have asked that Council have a post agenda meeting Wednesday, June 22nd, 11:30 a.m. immediately following Council's regular order of business. As you know with Mr. Cohen's initiative a year ago -- I think it was a year ago -- we provided some stop-gap funding, as well we should have, for the operation and continued funding of the Film Office.

As you know the director has left the area just a few months ago, the board is being reorganized, the board is actively doing recruitment and searching out a new executive director, however, they are really down to just a few thousand dollars in funding. I know Representative Kaiser has a bill in the state legislature, we have invited him also to

the post agenda. But, we really want to make sure that there is no disruption in the good work and the important work of the Film Office.

And, also we really would like to have some discussion about this notion of the sound stage, which had been proposed for Mr. O'Connor's area down in the Hays community -- the Hays munition plan, I believe. That would be a tremendous asset and would easily pay for itself. So, the post agenda will deal with the funding situation.

We would like the Mayor's Office to be represented, obviously; others have been invited, Representative Kaiser; we would also like to hear from the URA and others on this sound stage situation. So, that will be Wednesday, June 22nd, immediately following City Council's meeting. That is the post agenda on the status of the funding for the Pittsburgh Film Office.

Councilman Onorato has a post agenda coming up in a few minutes. I would entertain a motion to approve the minutes.

Mr. Cohen:

So moved.

MR. SMITH seconded the motion.

The Chair:

It has been moved and seconded. All in favor? Motion carries.

WHICH MOTION PREVAILED.

The Chair:

Any other matter to be brought before the body? If not, I will entertain a motion to adjourn.

And on the motion of MR. COHEN

Council adjourned.

(BEGINNING - MR. HERTZBERG'S COMMENTS ON BILL NO. 569,
WEDNESDAY, JUNE 1, 1994)

Mr. Hertzberg:

Discussion. I very much appreciate you sticking with us throughout the morning and afternoon. It's unfortunate this one came last especially since it has been before us one time and it was recommitted.

My questions relate to the area of the potential assessments here. This legislation includes a Section 2 that would permit the property owners to be assessed for the sanitary sewage there and I'm aware that when you provide the sewage service these people that are on private septic systems are going to be required to tap into the system. They are going to be required to pay a plumber already just to hook into the public system. These 15 homes are not in a very wealthy section of Sheraden, it's an average area and the homes aren't particularly high-priced and I don't believe that the people are capable of paying a large assessment and that's my concern here if there's a need to have this Section 2.

Mr. Reginella:

I can tell you that we did the very same legislation in the past on several occasions and they all read likewise as you see here.

As I stated at the table last week the City wishes to reserve the right to implement the assessment proposal in the future if it so desires so by eliminating it from the legislation I think it would mean that the City would not in a position to carry out the assessment. However, I also stated at the table last week that during my ten years with the City I don't recall a single case where we've actually assessed the residents. All I can tell you is that we're doing this in a fashion consistent with what we've done in the past and I doubt very much that the people will be assessed.

As you stated the public sewer along with the main trunk line and the appropriate laterals are carried up to the property line or thereabout within the private property, then it's up to the property owner to pick up at that point and have a plumber continue the lateral into the house or connect the dwelling into the public sewer system. So yes, they will incur some expenses but I think it bears pointing out that the construction of the sewer line vastly increases the value of the property and I think that's where the City is coming from. The Stadium and the Water and Sewer Authority, jointly they have the obligation of coming out with an assessment formula. We had made proposals to the Authority in the past but for whatever reasons the City and the Authority have not taken action on it. It would not mean

that the entire cost of the construction, in this case \$250,000.00, would have to be borne by the residents but it will be a matter of perhaps their picking up if in fact the City was through with the assessment at some point in time in the future, it would be a matter of their picking up maybe 50 percent or 40 percent or 60 percent at the most of construction costs and the costs were to have been allocated on the basis of front footage, the frontage of the property. If you had a 30-foot lot versus someone who has a 50-foot lot, obviously the 50-foot lot will pay more. That's basically the concept that we have advanced but again I say to you that in the last ten years there has been no such effort to assess the property owners and my sense is that the practice will continue.

Mr. Hertzberg:

So you know of no specific plans that the assessments are going to help pay for this particular thing.

Mr. Reginella:

That is what I believe, yes.

Mr. Hertzberg:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

(BEGINNING - MR. ONORATO'S COMMENTS ON BILL NO. 592, WEDNESDAY,
JUNE 1, 1994)

The Chair:

Miss Kraus, a question which is my standard question, who's this contract with again?

Ms. Kraus:

It's with the psychologist named Doctor Jerry Massaro who has been the police psychologist since the early 1980's.

The Chair:

The question of possibly dealing with our medical neighbors. Have we approached them to provide this service to us as a good neighbor that has tax exempt property within the City of Pittsburgh, and I know we have an excellent psychological department in some of these institutions.

Ms. Kraus:

The remainder of the year we're going to evaluate this whole contract whether we're going to put it out with bid or on bid in the future. That's something we're going to be looking at. We have to think of issues of continuity and care and trust because they are providing therapy to police officers.

The Chair:

There's no reason why a Western Psyche couldn't get this contract and do it for the next ten years and have the continuity. My frustration is all we hear all the time is that they are non-profit and they provide a non-profit service which is great. I see bill after bill opportunities where they can give something back to the city that's bearing the burden of not having a tax on property and we're not trying to tax them. We're saying we're giving you the tax-exempt property, here's what we need in return for city residents -- to me it's so logical and why are we even having this conversation? Here's another \$60,000.00 we could be saving. It's the third time I brought this up today on three different bills.

Ms. Kraus:

As I said, this is something we're going to look into for next year and that's something we will give consideration to.

The Chair:

Not you personally but that answer is the same answer I hear year after year and I think it's because we don't have a

unified front addressing this issue. I would hope that we talk to all departments and deal with any item that goes for medical services that we're paying cash out for. I think it's a logical move and I think something they should provide to us because we do bear the burden of the tax-exempt property.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

(BEGINNING - COUNCIL'S DISCUSSION ON BILL NO. 593, WEDNESDAY,
JUNE 1, 1994)

Mr. O'Connor:

Motion for -- purposes of discussion and I'd like to refer
to Mr. Cohen.

Mr. Hertzberg:

Second for discussion.

Which motion prevailed.

Mr. Cohen:

Thank you, Mr. O'Connor who is Chairman of that committee.

First of all I want to make sure that everybody has a copy
of the ordinance because I have copies here.

Mr. Chair and Members of Council, my involvement in this
issue began when we on City Council received a memo from Deborah
Miskovich the Director of General Services on May 13th in
response to a request by Councilman Smith regarding city-owned
cars. This is first time since I have been on Council that I
have seen such a list and honestly I was shocked to see that the
City provides 98 cars to employees to take home at night. As
looked through that list I noticed that some of the cars that
are on it are being used by administrators primarily just for
travelling to and from work. Others on the list are clearly
used for visiting multiple job sites at least during the day and
a few for emergencies late at night. The third category on the
list as I see it are public safety employees who are really
always on call for emergencies both day and night. All of these
cars are for employees to take home at night and given the
City's current financial condition, we can't afford to purchase
cars for so many employees to take home at night.

In the legislation I have tried to craft it in a way as to
account for these three categories of cars. One, cars that are
used almost exclusively to take to and from work; Two, public
safety cars that are exempt; Three, cars that are used for
visiting multiple job sites.

In the legislation itself, for cars that are used primarily
for traveling to and from work, it proposes that those cars be
sold within 60 days of enactment of this bill and that is Item
Number One in the bill. These are cars for all Directors,
Assistant Directors and staff to the Mayor. It of course does
not include the Mayor himself who as leader of the city
obviously needs a car, and it also does not include the

Directors of Public Works, of Water and of General Services because they are regularly called for emergencies late at night. It also includes the Director of Public Safety but we do not have a Director of Public Safety right now.

I realize that some of these cars in that first category are used to attend meetings at night, but my view is that the people who use those cars to attend meetings at night should be reimbursed for their mileage as long as they submit a mileage report and the reimbursement section of this bill is Section Four, as long as it is used for city business then they should be reimbursed. That is certainly much cheaper than buying a new car for these employees and it is what most companies are doing right now and I'd like to get into that in a couple of minutes.

The second category, Public Safety cars. They are excluded because of constant emergencies. In fact, Mr. Chair what I would like to do is make one minor amendment and that is public safety employees are excluded now under the phrase "uniformed public safety employees". And after speaking with some employees in the Public Safety Department, it became clear to me that it should be all public safety employees for two major reasons. One is the Bureau of Building Inspection. They are not uniformed but nevertheless they are called late at night for emergencies and that includes everything from fires to building collapses to building slides like in Councilman Cusick's district and the second reason why I'd like to amend just to take out the word "uniformed" is uncover police officers and obviously they should have cars too. So Mr. Chair, I would like to make that motion to everywhere the term "uniformed" appears to take that out so that all public safety employees are excluded.

Mr. Ricciardi:

Second on the amendment.

The Chair:

All in favor of the amendment? Opposed? The ayes have it.

Mr. Cohen:

The third category is all other cars and those are cars that it's not immediately clear whether or not they should be eliminated. They are used for visiting multiple job sites but at the same time as far as I am concerned there is no reason why they should not be reimbursed for mileage or use motor pool cars as long as they're not called for emergencies late at night and for those cars, which is the majority, what I have in this bill is that the Director of General Services ought to provide written justification for those take-home vehicles and it includes a number of factors "A through K" in the bill and that

includes everything from the city employee who's the operator, the year, make and model and license number of the automobile, whether the automobile is assigned with a gas card or other credit card for purchasing fuel. Really the most important one is "J", where it says whether the automobile is used regularly after hours Monday through Friday or on weekends for emergency city business. And it defines regularly as more than eight times per month. Emergency city business of course is city business that is not scheduled in advance. So for those cars what the legislation proposes is that the Administration provide written justification and then Council to make that decision and that is a key part of this. Is that I think Council ought to be involved in this decision because we have not been in the past. And unless these cars are used for emergencies late at night then I think those cars should be eliminated as well.

The last part and I appreciate Council's indulgence here. The last part of the bill is for all future cars that are to be purchased and what the bill does is it gives Council authority to approve or disapprove any cars purchased for or assigned to any employee to take home at night.

I think all members of Council know the relationship between the City and the Equipment Leasing Authority but just for people who are watching or listening, The City doesn't just buy cars out right. What we do is we send a letter to the Equipment Leasing Authority asking them to purchase certain vehicles. The Equipment Leasing Authority purchases those vehicles and then enters into a lease with the City of Pittsburgh to pay for those vehicles including by the way the interest rate or debt service on those vehicles.

What this last section says is that prior to submitting that request for approval, a request of ELA to purchase or prior to leasing these vehicles from the Equipment Leasing Authority, that City Council would approve that request. And also of course there would have to be written justification. All of this is to save taxpayer's money and it is difficult to put a precise figure on how much taxpayer's money would actually be saved. But I asked the Budget Director, Mr. Dave Keller, to put together the best estimate and I would like to pass this around Mr. Chair and discuss it briefly. It is based on a couple of assumptions and those are up front.

First of all the cost of the vehicle. For all of these assumptions we use very, very conservative figures. These vehicles include, particularly the ones that are proposed to be eliminated immediately, include Mercury Sables, Pontiac Bonneville which are much more than \$15,000.00 per car but use the conservative estimate of \$15,000.00 per car.

Miles per year, we assumed 10,000 miles Per year and the standard number for average for all Americans is 10,000 to

12,000 miles. The cost per mile, that's the IRS approved cost and that is 28 cents. So to eliminate the cars that are included in Section One, 22 cars immediately would have \$330,000.00 for just the purchase price of the car. If we add in there of course the amount that would be not reimbursable, in other words the amount that is used for personal usage, the total savings for those 22 cars would be \$360,800.00. To determine that we used a 50 percent figure. Frankly I think it's more than that but we used a conservative estimate of 50 percent of the miles that are being accrued are actually personal miles for those cars. By the way, to and from work is not considered city business or any business under the IRS.

Now for the remainder we don't know how many cars Council would disapprove, how many cars Council would try to eliminate but there is a schedule there for how much savings we would have depending on how much we propose to eliminate. If we propose an additional ten, that would be \$524,800.00; an additional 20 is \$688,000.00 and an additional 30, \$852,800.00 of savings of taxpayer's money.

We did some research also and again I thank you for your indulgence -- some research on what other major employers in the City of Pittsburgh do with respect to cars and what we found is that every major employer that we contacted has a much more restrictive policy on cars than the City of Pittsburgh does and let me give you three examples. The University of Pittsburgh is the largest employer in the City of Pittsburgh; it has nearly 6,000 employees. Of all of those employees only three people get cars. That is the Chancellor, the Provost and the Vice-Chancellor For Business. Even the Public Safety Director doesn't get a car to take home at night. He does get a car but he does not use it after hours. What the University of Pittsburgh does is they have a motor pool. We have motor pool here in the City of Pittsburgh and there's no reason why these employees can't use that.

ALCOA. ALCOA has 850 employees and not one executive has a company owned or leased car and that includes the CEO of the company and the Chairman of the Board.

Giant Eagle. I don't exactly how many employees they have but obviously it is a very large and distinguished company in this city and no corporate executive, not one, has a car. Not the CEO, not the President or any of the officers. The only people who have company cars are salespeople who spend a minimum of four days per week visiting store locations. Now here's what they do, they do the reverse and I'm not suggesting we do this but what they do is those salespeople who visit stores for more than four days a week, they have to reimburse Giant Eagle. They have to reimburse them for all of their commuting mileage to the first store and from the last store that they visit that day and also for their personal mileage. So those employees have to

reimburse Giant Eagle. What I am proposing here is that the City of Pittsburgh reimburse employees for business mileage that they incur.

The Administration has said that City Council approved these vehicles and I want to say very strongly that is absolutely not the case. City Council did not and never has approved these take-home vehicles.

I'd like to pass this out too, this is the page in the budget. The only line item in the budget that covers these cars and of the thousands upon thousands of line items in the budget the only one that deals with these cars at all is Code Account 1154-1 Rental of Motorized Equipment and as you can see in 1993 the appropriation was \$6,025,000.00. The reason the appropriation was so large was that includes all vehicles that are purchased by the City of Pittsburgh. What I'm talking about here is only take-home vehicles; those 98 take-home vehicles. This includes hundreds of vehicles that are purchased including police cruisers, firefighter vehicles, et cetera. Vehicles for paramedics, all of those. I am not proposing those being included in the bill but we never voted on the individual cars for people to take home.

I think we need to change the system so we know what take-home cars are being bought and how they are deployed. Members of Council, I urge my colleagues to support this bill.

The Chair:

Thank you, Mr. Cohen. Other discussion, Councilman Hertzberg.

Mr. Hertzberg:

Is there anyone from the Administration?

The Chair:

We have the Director of General Services.

Mr. Hertzberg:

I would like to hear from the Director.

Mr. Ferlo:

Mr. Cohen, is it your intent that in addition to automobiles be they pick-up trucks vans or jeeps, the actual fleet is not necessarily automobiles; is that right?

Mr. Cohen:

I'm being fairly narrow here. I'm only talking about cars that are taken home at night by city employees. Those that were included in the memo that Deborah Miskovich sent to us.

Mr. Ferlo:

I believe those people on that list do not own an automobile per se. They may have a van, a pick up or a jeep.

Mr. Cohen:

It would include those people on that list.

Mr. Hertzberg:

Director, you don't have to have a position on this if you don't want to but if you do I would like to know it.

Ms. Miskovich:

I do have a position regarding this bill. I have been the Director of General Services now for approximately one month. During that time period I believe you all have been recipients of a number of memorandums issued by my department which should make it painfully clear to all members of the Administration, all employees in particular of my department that we are going to maintain a good department and that I am in control of the department.

This legislative body, our City Council, has given me the guidelines which I must follow which outline the duties and responsibilities and in particular I believe Section 127 of the City Code of Ordinances makes me responsible as the custodian of all city property, makes me responsible for maintenance of that property and makes me accountable both to our mayor as well as to this legislative body.

Those of you with whom I have had the pleasure of working for in the past know that assumption of responsibilities is not something that I take lightly nor do I pass to another. I understand and truly do appreciate what Councilman Cohen is concerned with. The difficulty is that what you are being asked to do as part of the legislation directly impacts on my duties and responsibilities effectively handcuffs me and does not allow me to make the decisions that I believe I'm qualified to make. If at any point in time you believe that a decision that I make or a failure on my part to fulfill any of my duties and responsibilities does not adequately serve the citizens of this city then I believe it would be appropriate for you to take control of that particular duty or responsibility and to make things right so that the citizens' interests are protected.

You all may recall that on or about May 4th approximately four days after I had been sworn into office I received a memo from Councilman Christopher Smith, a copy of which I did bring with me here today and I'd like to provide to you all. Before I pass it out I would point out that in Councilman Smith's memorandum he requested that I forward to him certain information regarding the City's fleet. In particular he asked that I identify the number of vehicles which are assigned to all non-union personnel that were taken home on a 24-hour period, that I identify how many of those vehicles were signed to each department for the City of Pittsburgh, that identified the names of the employees to whom each of the vehicles were assigned, that I identify whether or not these vehicles were currently equipped with telephones, that I identify the amount that the City currently charges for the car telephone and that I identify whether or not the drivers of the vehicles were assigned a gas card or were permitted to obtain gas at any city owned or maintained fueling station.

Councilman Smith also imposed a deadline for receipt of the information to May 12th and I will add as a courtesy to Councilman Smith that I did not ask for an extension of that time. I felt that I could accumulate the data necessary and on May 12th as directed by the Councilman I had hand delivered to him as well as to every member of this Councilmatic body and to the City Clerk's Office and to the Administration a listing identifying all information requested by Councilman Smith. I also was very careful to make certain that the information that I supplied to you was not in any manner confusing. That with little effort if any each one of you can identify every city vehicle, every individual assigned a vehicle and every response to make the information that Councilman Smith was requiring adequately known to each and every one of you. I have with me a copy of my cover memorandum that each of you received as well and with the permission of the Chair I'd like to pass it around.

The Chair:

Give it to the City Clerk.

Ms. Miskovich:

I did this, not because you passed a resolution amending the City Code of Ordinances but because as I work for the citizens of the City of Pittsburgh, as I work for my Mayor, I too work for each and every one of you and a mere letter of inquiry, a mere telephone call to my office is sufficient to generate a response and sufficient to generate a response that fully informs you of each and every piece of information needed. You all may recall that you received from me a chart identifying all the non-union personnel, the 98 vehicles that Councilman Cohen properly identified when he made in precatory remarks regarding this legislation and identified whether these vehicles

were equipped with a phone, these drivers were issued a gas card. This memorandum with response to Councilman Smith was an asset.

I believe on February 22, 1994, more than two months before I was sworn into office, a memorandum had been issue from the Director of the Office of Management and Budget directed to each and every city director requesting and I quote, "I would like a listing of all employees by name and title who use a city vehicle on a 24-hour basis. Please distinguish by marked or unmarked vehicle. Please send this information by March 1, 1994." A copy of which I've also brought with me today with your permission.

The Mayor's Office unbeknownst to myself had already taken an interest in the 24-hour vehicles and wanted to obtain adequate information so they could make a decision. When I came into office when I was approved by this Councilmatic body and sworn in April 29th, one of the first issues that I addressed in my department were the 24-hour vehicles and this was without having been issued a copy of Director Miranda's decision, without having been issued a letter four days later from Councilman Smith and I pulled all vehicles that I thought were unnecessary in my department. And my department is the department that owns 1400 vehicles to the City of Pittsburgh. My department has 300 employees, is one of the three largest departments in the City of Pittsburgh. My department manages in excess of 200 facilities throughout the City of Pittsburgh where I could have readily justified why a 24-hour vehicle should be vehicle but in my department there are three 24-hour vehicles that are issued. One is issued to myself, one is issued to my Facilities Manager who is on call on a 24-hour basis and in fact is called out regularly and in light of Councilman Cohen's legislation and is called out more than eight times per month. And the third vehicle is assigned Mr. Michael Plaks who is my TV Manager in the Bureau of Cable Communications. He is called out as he was this weekend because he is the only individual in the City of Pittsburgh who is not an electrician, not a carpenter, not any specialist can manage the TV equipment which I have on the Ninth Floor of this building and which I have invested literally millions of dollars and which must be attended to on a regular basis and those are the only own three 24-hour vehicles that were in place within a week after I took my position, prior to Councilman Smith's inquiry, prior to Councilman Cohen's legislation and prior to my having been issued a copy of the Director of Management and Budget's memorandum that had predated my being sworn in.

It is not that I think that this Councilmatic body is not entitled to the information that Councilman Cohen is asking for. What should be clear to all of you is that you need only ask me. Prior to today's proceeded I had already issued a memo to each and every city director asking them specifically to confirm all

of the vehicle identification that I had provided to Councilman Smith pursuant to his May 4th memorandum because my figures and my statistics can be only as good as those people that have provided them and confirmation by the city directors who are responsible for their individual departments tells me that my statistics and my figures are accurate and they are being asked to respond. I certainly would have no difficulty whatsoever supplying each and every one of you whether you are concerned with the individual department which you have now been assigned to manage or if you want a copy of every city department that there is. None of this is secretive to me but I do need the ability to be able to manage the Department of General Services, I do need the ability to exercise some measure of intellect coupled with experience on my part and if I falter then I certainly would understand amending legislation which would remove any of my powers or duties, but to remove the power or duty at this period of time I believe is premature. What I would respectfully request is that you consider not taking action on this legislation at this time to deny this legislation and that at a future time that you may revisit the issue if you do not believe that I'm adequately performing.

Mr. Hertzberg:

Thank you, Mr. Chairman. I appreciate your availability and the fact that you have shared the amount of information that you've shared. I also appreciate your ability and your experience and agree that you should be given a lot of latitude. I think though it's possible and I'll wait to hear from the rest of Council on this to amend this legislation. As I view it now it would basically work a forfeiture on a whole bunch of vehicles right off the bat and then later on we'd go into these justification concerns and I don't like that procedure but if the rest of Council seems inclined to amend it where we wouldn't have a quick sale of a whole bunch of vehicles that may be the route to go. I think your recommendation if we would go through a procedure where Council is going to examine all these vehicles, your recommendation would carry a heckuva lot of weight with me.

I think what we have to be careful that we're doing and not doing with our vehicle policy, we don't want to be imposing on city personnel a condition that must make extensive use of their own vehicles even if they are reimbursed. I mean, is that what someone asked for they applied or when they were hired by the City. Did they say they are going to be depleting their vehicle on behalf of the City even if they are being paid? Maybe they weren't counting on having to buy a car so quickly because of the amount of use they are giving to it and that's why I like the pool concept and I think I expressed to you during your confirmation hearing, I know I have expressed to Assistant Director Perrett my concerns with the pool that at times when we've needed a pool vehicle that there hasn't always been one

available and I'm hopeful that this legislation may relieve that problem a little bit and make all of us a little more reliant on a pool where it can be done and where it should be done.

I think the bill is a good government type of bill. I like the idea that Councilman Cohen is comparing us to non-government entities but you can only take the comparison so far. I don't see how we can compare our directors or our assistant directors with your top executives at some of these corporations. I think the disparity and the salaries makes that comparison inapplicable when you are looking at people that are making \$1 million a year. They can afford a little bit more to purchase their own vehicles. We don't need to be penalizing people that choose to serve the public. You hear a lot of complaints about the quality of government people sometimes and we do have to be careful we're not penalizing people because they have chosen government service and a lot of times their responsibility is far greater than the responsibilities of similar situated private employees yet their pay scale is much lower for government service. So some of the movement that we see today takes away any and all perks from government employees I think we have to take a hard look at it and maybe sometimes we have to bite the bullet and take a little bit of flack because just to make up for the disparity and the earnings that people will get when they choose to work for the City of Pittsburgh as opposed to a private employer doing work which a lot of times involves greater responsibilities.

With respect to selling all of these vehicles of all the directors other than those specifically named here being Public Safety, Public Works, Water and General Services. I know that the Director of Parks and Recreation, the committee which I Chair, I am not exactly sure whether it's a good idea or not. I would like to hear a lot more on it. I know that the Director of Parks and Recreation has an extensive amount of travel and an extensive amount of duties at all hours for special events, for any kind of problems within the parks, so I have a problem with this legislation as it is written and if it be the will of the rest of Council I could amend to it a position where I am happy with it. Thank you, Mr. Chair.

(AT THIS POINT I WAS TEMPORARILY RELIEVED BY CHERYL L. WILDS)

(CONTINUED ON NEXT PAGE WITH NO LOSS OF CONTEXT)

MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Councilman Ferlo.

Mr. Ferlo:

Thank you, Mr. Chairman. I will try to be brief.

First of all, I appreciate Mr. Cohen's efforts on this initiative, and generally speaking, I am in support of some type of effort to have this Council take control and effectively decide, on a policy level, what the policy should be regarding vehicles throughout the City.

I think part of the issue we need to address, though, is what is a perk as it relates to a vehicle, versus what is a necessity or an integral part of one's job assignment and duties and responsibilities. I do not know that the bill necessarily does that. I think it attempts to in part of the bill ask for a justification and an administrative determination of that. I would like to see that before there is a final act on this bill.

Generally speaking, I am in favor of looking at it as a budgetary issue in terms of the predicament that we are in regarding our City finances. I have a concern on a tactical level and that is, I wish this would be done as part of an overall evaluation assessment of each one of the department budgets during the annual budget proceeding as opposed to doing it right now.

For instance, I think I made it clear, I've talked to the Mayor privately and personally, I've spoken to the Administration, and I think I've made it clear to the Council, I'm very upset with the three percent cut in the pay of many white collar workers, I think we have singled out unnecessarily and it is counterproductive to attack just a small group of City workers for a three percent cut, starting, I believe, June 1. Now, some of those same individuals are also going to be affected by this issue of the vehicle. I have a problem with that in light of what is going on now with the salaries of these particular workers. I do not want to do something that is penny-wise and pound foolish in terms of the effective management of and the efficiency of the employee, be they administrative level, assistant administrative level or what have you.

I guess what I am generally saying is, I am in support of looking at the whole issue of who has vehicles in the City, what is its dollar relationship to the overall City budget and is it an area which this Council needs to control, which I directed to the Administration.

I also find it interesting that the Controller's Office is not included in this, Mr. Cohen's comment was that they, technically, are independent, that's true, but if we are deciding a policy, we're going to decide a policy for the overall City work force and the overall City budget, which would affect the Mayor's Office, the City Council, where I unilaterally already eliminated the vehicle for the previous City Clerk and the Controller's Office.

I would prefer that we modify this bill and that we proceed with this bill in such a way that we first receive some type of justification memo from the Administration outlining what are all the vehicles and why is it in the Administration's opinion they want to continue the exercise of having a vehicle assigned and what is the justification, what is the rational, what is the cost, why should some employees have them and some not. I would feel more comfortable voting in support of Mr. Cohen's bill if I would first have that information from the Administration for us to evaluate.

Mr. Cohen:

That is what the ordinance calls for is a written justification.

Mr. Ferlo:

Well, the ordinance already immediately on a blanket level eliminates a number of vehicles and then makes it -- it is sort of backwards a little bit. You are eliminating carte blanche --

Mr. Cohen:

I am eliminating those cars, because you know and I know and everybody here knows that those cars are political perks. We call them whatever we want but that is what they are and they are used to go to and from work. And, that is why I am eliminating those cars up front and the other cars we are asking for an explicit written justification from the Director of General Services, who was mentioned ten times in this legislation, because this legislation is a collaborative proposal with the Director of General Services.

Mr. Ferlo:

Maybe I am not clear. For instance, a key administrator in the Parks Department, if I read this correctly, who I know uses the vehicle on a 24-hour basis, would have their car eliminated? It is actually not a car, I think it is a work van of some sort. If I read this correctly that car would be eliminated by the passage of this bill?

Mr. Cohen:

I do not know who you are referring to, Councilman, but it does say --

Mr. Ferlo:

I am not mentioning names.

Mr. Cohen:

And I don't think we should mention names, I agree with you.

But, it does say, Directors, Deputies and Assistant Directors and staff persons of the Mayor, that's right, they should be reimbursed, as I see it, and we may just disagree on policy, I don't know. As I see it, they should be reimbursed for mileage rather than getting free cars.

Mr. Ferlo:

What I am saying, just to be very clear. Let's lay the issue out. First of all, the Post Gazette does a very big expose of the County, beats up on the County about their vehicles, now everybody is hot to trot about looking at the vehicles, that is all well and good, let's start looking at the vehicles but let's look at it in relation to what the overall City budget is, let's look at it in relationship with what this Council wants to establish by way of a policy, recognizing that we are now involving ourselves in something we have not in the past, which I am all for doing.

I mean if we are going to start looking at some hard decisions regarding the budget and the issue of the overall cost in vehicles, I will be the first to step up to the plate and let's start looking at it but let's look at it in some kind of rational way that evaluates how bad the administrators and the staff, that we are asking to perform some duties and responsibilities, how does that relate to them fulfilling their duties and responsibility.

I would feel more comfortable voting after first reviewing this information from the Administration, hearing their -- we're asking them to manage effectively the work force. Part of that is -- and I will use an example. If I am asking the Administration to effectively manage the work force and let's say, in the Parks Department, that involve some assistant supervisor or some supervisor person having a vehicle, who I know is out there at 9 o'clock at night dealing with a little league ballfield complaint or some other problem over the weekend, if that is an integral part of that person's job performance, I don't want to make the issue be one of a cheap

shot, let's just get rid of cars for the sake of getting rid of cars, let's have some rational and some justification.

I am saying I am generally supportive of what you have developed, I think it is a need for this Council to step in, step up to the plate and begin to look at these costs. I think there clearly are some vehicles and some individuals on the payroll who do not need a full-time assigned vehicle to them but I would prefer that we do it in such a way that we can look at this information, hear a justification from not only the Director of General Services but she in communication with the on-line managers of these various City departments. And, the only thing tactically on a budget level is, I think we are doing this a little bit backwards, because if Council is going to cut, I would like to have some input at where I would rather see some of these dollars go and we are doing this in such a way that we are sort of creating some income without the ability to barter with the Administration on a budget level of other things that we want funded.

The Chair:

Councilman Cusick.

Mr. Cusick:

Thank you very much. I would just like to say, I think the bill is right on target, I think that the work that you, Mr. Cohen, and your staff did, was excellent, but I do think that we need to at least give the Director of General Services the opportunity and the Mayor the opportunity to address some of the concerns that you have in this bill.

I have been working with the Mayor for the last couple weeks on a few different issues. The Administration has asked me to give them the opportunity to work some of these problems out, as far as the cars and the pool goes. Director Miskovich has assured me she will be doing that. I would like to see that if we could put a hold on this or give them a fair amount of time and come back and see what they have done as far as the cars and the pool goes, and I would ask that you give them 60 days to do that and then at that time bring it back to this table.

Mr. Cohen:

I am sorry, are you directing that to me?

Mr. Cusick:

Yes, because it is your bill.

Mr. Cohen: I thank you for the suggestion, Councilman Cusick. I have to respectfully decline, and the reason is, this bill is a collaborative bill. The Director of General Service is named ten times in this bill and it asks specifically for the Director of General Services' judgment, which, by the way, is a judgment that I respect, and I would congratulate the Director of General Services for what she has done in her department in terms of eliminating cars, and I would like to see that done in other departments as well.

But, what it comes down to is, it says, whether in the judgment of the Director of General Services the automobile is necessary for City business to be assigned on a 24-hour basis. That is reading from the legislation, and that applies to cars we currently own and that applies to cars that we would own in the future, and the reason that is in there is exactly the reason that you stated, is that we should work together on this, and that judgment of the Director of General Services, I think would weigh heavily in our decision as to whether or not to eliminate these cars. That should be our decision because it is a budgetary matter and the Home Rule Charter requires us to approve all contracts and I think this is one that we ought to step up to the plate and approve or disapprove.

Mr. Cusick:

I believe that we all have the deepest confidence in our Director of General Services. I do not think there is any question there. I think that we need to give her the opportunity to make some of these hard decisions that have to be made. I do not think that we should be demanding her to do that. She understands that is her job. She has already told us that she is going to do those things and let's give her an opportunity to do it.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Thank you. Colleagues, Director, first let me state that I feel comfortable talking about this issue of cars because this body had three cars under its jurisdiction. We had two cars that were available for the use of all nine members and there was a collaborative decision to forego those two cars because of budget restraints, and the third car that we had was appointed to our City Clerk and our President, Mr. Ferlo, made the decision that car was not needed and it was respected by all of these colleagues. So, obviously I do not feel as though we do not have a right to talk about who is assigned City cars and who is not.

The question that I have, Director, is that you mentioned that there are now, I believe, three cars in your department that are assigned to employees on a 24-hour basis and I understand the reason for that because of the discussion you have had here.

Before you arrived May 1st, how many cars were assigned to your Department? You didn't mention that. Not assigned as responsible, because as you know, all vehicles are responsible -- or, you are responsible for all vehicles. I am talking about how many employees in your department had take-home vehicles?

Ms. Miskovich:

About 14.

Mr. Ricciardi:

Fourteen?

Ms. Miskovich:

Yes, sir.

Mr. Ricciardi:

And you are telling me -- you are telling our colleagues you eliminated 11?

Ms. Miskovich:

Yes, I did. I felt it was necessary.

And this was -- as I did point out, this was prior to any inquiries being made of me. I simply felt it was an appropriate action to take.

Mr. Ricciardi:

I understand, and I salute you for that decision, because obviously that gives me a comfort factor that the three that are assigned in your department now are well needed, if you were able to step up to your own employees and eliminate 11.

Ms. Miskovich:

I do want to point out that those -- that my vehicles included both union and non-union personnel.

Mr. Ricciardi:

Let me go back, and I listened very closely to your presentation, and I did not have the ability to see you before the meeting or the Administration officials that were discussing this bill, but it appeared in your presentation that you believe the responsibility of assigning cars was more of an Administrative responsibility action, not a legislative one. Was that the substance of your presentation that you presented here today?

Ms. Miskovich:

Yes, I believe I referenced Section 127 of the City Code of Ordinances, in particular, I believe it is 127.02. I think it is Subsection C, but it may be B, I don't recall offhand, which makes me responsible for maintaining and being the custodian of all of the City property.

There is a separate inquiry that I have and, frankly, it is a dilemma that I have not been able to satisfy for myself, which will be a peculiar concern to both Councilman Cohen and to Councilman Hertzberg, inasmuch as all three of us are Licensed Practicing Attorneys, and --

Mr. Cohen:

Councilman Onorato, by the way.

Ms. Miskovich:

Oh, I'm sorry. And Councilman Onorato. I apologize.

The Chair:

That's okay, Director.

Ms. Miskovich:

This is what happens when you don't prep for a meeting and you speak extemporaneously --

Mr. Cohen:

I actually think Councilman Ferlo ought to be named an attorney. An honorary degree.

Ms. Miskovich:

There are two sections of the code, that I believe we need to take a look at, one is Section 204 of the City Code of Ordinances, which delineates the powers and duties of the Mayor, which specifically allows the Mayor to supervise all of the City

employees, but there's a companion section, 310 of the City Code of Ordinances, which identifies the powers and duties and supervision abilities --

Mr. Ferlo:

You're wading into some murky waters now.

Ms. Miskovich:

-- and Council, the reason -- you're absolutely right, Councilman Ferlo.

Mr. Ricciardi:

I have the floor.

The Chair:

Councilman Ricciardi has the floor, so why don't we --

Ms. Miskovich:

In response to what Mr. President said, you are absolutely right, there, it is a very murky area but it is one that I think that both the Administration may want to make a decision regarding and one that the Councilmatic body, from my perspective, which is what I was asked at the beginning of this inquiry, was, what was my position. My position is that I believe under Section 127.02, I believe it is B, I am responsible for these vehicles, and I do not deny my responsibility to answer to each and every one of you, and I do not deny my responsibility to answer to my Mayor, but the initial responsibility falls here, and I cannot do that if you do not allow me to do everything that has been assigned to me, which includes assignment of property.

Again, what I did not have a chance to point out to you all is, I have already asked in writing for justification, even of the union vehicles, union employees that have been assigned vehicles, marked our unmarked.

And, I will point out, Councilman Ricciardi, the two vehicles in my department that are assigned to the two other people other than myself, are marked vehicles, which means they are white vehicles with striping and you would have to have less than a two digit I.Q. not to figure out it is a City of Pittsburgh vehicle. So, nobody is going to be taking them for their own little picnics.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Thank you for all of those comments. But, if I could just take it back, and that is the reason I wanted to understand what you saw the difference was between a legislative and an Administrative act. And, I am one of the few that is not an attorney on this Council, but I think you would agree that obviously the City Charter needs to be changed, of course, mandated, that its change goes before the voters. And, I respect those sections that you quoted from the Pittsburgh Code, but this body also has every right and every ability, obviously the Administration has the right to veto legislation, but to change the code through legislative action, and I think that is what Mr. Cohen proposes today.

I do recall last year the body and Mr. Cohen, in particular, was supportive of a piece of legislation that I put forward, and that was changing the so called private license plates to municipal plates at that time. So, we have made changes in the past.

Let me state, Director, and I mean this in all sincerity, I think you are one of the best directors that this City of Pittsburgh has witnessed for many, many years and for many, many years to come, but legislation is -- when I have proposed legislation in the past, legislation is directed towards a position in an office and not a particular person.

I believe you. When Director Miskovich stands here and says that she can take the responsibility and make the right decisions, I believe you; however, in the years to come you might not be the Director of General Services, and I think that is the reason Mr. Cohen obviously has put forth legislation.

On that note I would like to keep the floor and state that, I believe the legislation before us is very well crafted and as Mr. Hertzberg has pointed out, I think it is a good government bill and the reason I believe it is a good government bill is because it demands accountability, it demands accountability that we need to stand up to and justify.

I would also thank Mr. Cohen for talking to me about the bill today and in the past. It is a very detailed bill, Mr. Cohen, obviously, it covers three pages, but I would like to point out what I support in the bill and where I have problems and then briefly touch upon that problem, and if you can maybe discuss that.

I support the bill, for example, on 161.26, I support Point 2, which is written justification, because I believe it is part of an academic act or action, that Director Miskovich has already begun and started. I also support continuation of the bill on Page 2, A through K. I support all that, Mr. Cohen. And, also, Council approval, with a few changes in that wording, I could even support that. I supported Number 4. On Page 2, Mr. Cohen, I support your B, your purchase request and lease, A through B, and I support all of Page 3.

The problem I have with the bill, Mr. Cohen, is obviously the sale and, one, because it appears that we are using that old cliché that, we've put the cart before the horse; that even before we go through our academic exercise, and in this case, a policy exercise, Mr. Cohen, we are already stating that we are comfortable in the elimination of 22 cars. At this point I am not comfortable in that until the Director of General Services and the Mayor of this City come forward and live up to their Administrative responsibility, and that is -- and not that -- we will pick just positions. For example, I know that the Assistant Director in Public Works, which there are two, one under the Public Works and one under the new program of the Maintenance Department under Public Works, I am not sure if it is wise to pay per mile when I know those two individuals are constantly on the road, especially in the evenings, especially during the winter months. I also know a gentleman in this room, who is the Director of Engineering and Construction, because I visit all the Pittsburgh Water and Sewer sites when we are doing work, I know that gentleman, the Director of E & C, is on those jobs also in the evenings because I have seen him in the evenings.

So, what I am saying, Director, I differ from you, that I believe that Mr. Cohen has the right to make this a legislative action and change the Pittsburgh Code, I believe it is a good bill, because it forces all of us to constantly be on our toes and stand back, almost like zero base budgeting, and say, do we need these cars, don't we need these cars, is it better to pay mileage, and this is all the information that this Director can put together, I can't, I don't have the expertise, I don't have the staff and it is not at my disposal, I think this Director can. And, I think and I believe that Mayor Murphy himself, and the memorandum of February 22nd from the Budget Director, shows that he and the Administration has already begun either reviewing the process or the policy or at least looking at it.

But, I still want to give credit to Mr. Cohen because he put it to the forefront where decisions need to be made.

So, I will give up the floor now just saying, Director, thank you for your fine work, I think you have led by example going from 14 cars down to three.

Ms. Miskovich:

Thank you.

Mr. Ricciardi:

I differ that I believe this can be a legislative act. I would never tell Mr. Cohen to amend the bill or delete a certain section, it is his bill, he has always respected the bills that I put forward, but I hope, Mr. Cohen, that you either address or you at least see some of my concerns.

Why not let the Director go forward, we could either do it through a policy decision, which I think the Director has agreed she is already doing now, or we could even do it through a legislative decision, but I do not feel comfortable removing cars without the justification, and I am always going to keep in mind that this Mayor is the administrator of the City, we are the legislative process, we have to strike that fine balance, it either can be through legislation, where Mr. Cohen can meet with the Director and Mayor Murphy and others and come to this body with the proper balance or it could be just unilateral that this body will take action.

I must say I do not see abuse of the cars. I do not picture these cars as being political perks here in the City of Pittsburgh. I really believe that they are part of the tools that Mayor Murphy has given his staff to do a fine job; however, until I see your report, Director, I am going to hold off on giving my final position on them, meaning that until I see your report, I might disagree or change that statement that I have just made.

But, again, I have to say it is a bill well put together. That is the reason I first moved on putting municipal plates on cars, Dan, because I always thought that if there was an ability to abuse cars, it would be difficult to abuse a car with a municipal plate, if someone was out at midnight with a municipal plate, that would rein them in.

The Chair:

Hold on, we're taking a break while we switch stenographers.

(At this point, Ms. Hruska resumed stenotyping the meeting)

(Continued on next page with no loss of context)

CHERYL L. WILDS
STENOTYPE REPORTER

Ms. Miskovich:

The junk and the vehicles that I believe no longer have a useful life to the City. Not everything that we auction is no longer desirable. It's just no longer desirable for our purposes. As you can appreciate the mileage put on by a citizen versus the mileage put on by a city employee travelling putting on an average of 200 miles per day makes it much more harder on the car.

Mr. O'Connor:

How many cars are in our motor pool?

Ms. Miskovich:

In our motor pool we have 1400 vehicles. -

Mr. O'Connor:

That's counting police cars?

Ms. Miskovich:

Correct.

Mr. O'Connor:

How many are available right now if nine of us wanted to -- we had to go to a meeting so instead of using my personal car which I think we all do most of the time, we requested ten cars and we had to go somewhere to a meeting, how long would it take to get the car?

Ms. Miskovich:

I have one motor pool that is the Department of General Services Motor Pool. In that motor pool I have 15 active vehicles. In addition to that each department that has, such as the Department of Engineering and Construction, the Department of Public Works, they have assigned to them a motor pool with cars that are utilized only by their department but it is on an ongoing basis. They require them daily and to have them sign them out of my motor vehicle pool only adds paperwork to the process. I have 35 vehicles in and about motor pools assigned to various departments.

Mr. O'Connor:

If someone comes to work and they take the car and they go somewhere on the job. Do you know -- for example there is 22 cars in the Mayor's Office and if ten of them needed a car to go to a meeting, would they be available on a ten minute notice?

believe most of them are in city cars. We might want to analyze how much that is going to cost that person. When he uses his or her car for personal or business use his insurance will go up and I think we ought to analyze all these things before we just pull them out.

Mr. Cohen:

May I respond to that? The City provides insurance for those vehicles. For many of those vehicles the City goes out to a private insurer to insure those vehicles even though the City is self insured. The others are of course insured by the City in the sense that if any accident occurs then the City would pay for that. But we go out to a private insurer for many of these cars too. Everybody outside of government who goes to work every day uses their own car. Their insurance does not go up if they have to use their cars.

Mr. O'Connor:

Let me make it clear. Someone who in fact -- Mr. Ricciardi and I learned -- I agree here, you have something here. You opened Pandora's Box which we should and take a hard look at all these cars. Mr. Ricciardi and I found out about eight months ago that someone on Council payroll actually had a car and we weren't aware of it who just came and went back and forth to work which Mr. Ferlo corrected that. So I sat there two years and didn't even know it so I think there's probably a lot more like that. Deborah cut ten or eleven cars out of her department and that's an 80 percent savings right there so out of those 22 cars in the Mayor's Office one-half of them may be totally wasted. If someone is driving back and forth to work I certainly agree that they are not needed. My concern is that people, whether they be in the Mayor's Office or our staff or any staff in the city, especially Parks. I know Parks on the Fourth of July I had my kids at a pool and there was one of the Assistant Directors was going around on the Fourth of July to hit the pools to see what was going on and I respect and admire him for doing that. So again does that justify a car? I don't know but it might especially if his wife and kids wanted to say -- "Hey, we're going on a picnic and we're taking a car" and he says he'd like to go and check on some pools, I feel they all should be analyzed.

Also now the insurance issue. If I'm going to a neighborhood meeting now and I have an accident am I insured?

Mr. Cohen:

Not if you are doing it on city-owned business which is what we do with all cars anyway. As you know, we have a lot of judgments that come before Council that we pay for accidents if

well and I looked at the figures. If you need it I can provide it to you.

Mr. O'Connor:

Mr. Cohen is on the right track because I personally think there's at least ten percent. We've talked about the budget and I think we can cut ten percent out of the city budget tomorrow if we all roll up our sleeves and do our homework. It is easier said but it can be done with a change of attitudes. Now this is one approach we should be looking at very carefully.

I would support this only if I like Councilman Hertzberg's amendment, I think we ought to consider it because we should. You're only asking for 30 days to analyze the 22 cars over there and possibly if they do as good a job as Deborah did, 80 percent of them will be eliminated but I think we ought to analyze the use of them. So I would support everything here but I question the first part and I think he has a good amendment to it for now.

The Chair:

I'd like to have few comments then I will turn it over.

I agree with 90 percent of this legislation and what Councilman Ricciardi said I agree with and I've read everything and I have a hard time just with the first section; the sale and the removal of the cars. But I want to bring up Director, Councilman Cohen passed this around, a copy of this page from the budget and the \$6 million. I can remember going through budget deliberations last year and the year before. If I'm not mistaken a majority of this line item the \$6 million is for debt service and the issue that I brought up 24 months ago is that the Equipment Leasing Authority might have been a good idea when it was originated but my concern was the increase in the debt service on this line year after year and if you look here you can see how it's jumping up and we're paying a yearly debt service -- this is for this year -- for cars that have been purchased in prior years and my concern then and it is now is that our out-of-pocket cash flow is going up while our fleet is getting older and we're paying for previous purchases and I was afraid that we were going to get to a point where our debt service is so high and we're paying for five-year old cars and we don't have the money to upgrade anymore. The original intention behind the Equipment Leasing Authority was to go out, get control of the fleet, raise money and upgrade the police cars which is a great idea but I think now with Councilman Cohen's legislation this might be the time to re-think the policy of the Equipment Leasing Authority and just cars in general because for a debt service, and I think we should make that clear -- \$6 million, we're not buying one new vehicle with that money. That's for all prior purchases and that's a pretty

The Chair:

Mr. Perrett, let me clarify the question. I'm not talking about police cars, I'm not talking about those vans in Public Works. I'm talking about cars that are unmarked that might have a municipal plate that are given to employees. Have we purchased any cars?

Ms. Miskovich:

No, we have not. I knew that we had purchased some dog vehicles for our Animal Control officers.

The Chair:

I want to stress this because it's very frustrating when -- the one problem that I have in my district and I'm sure my colleagues have in their districts are dealing with the image that the Mayor's Office has been increased tenfold and that cars are being purchased to be given out everywhere.

Ms. Miskovich:

That's absolutely false.

The Chair:

I know but I want to make something clear here because I sat through the deliberations last December when there was a transition team between administrations and we agreed that an incoming administration has the prerogative to redesign his departments the way he sees fit and all of the departments are under the control of the mayor when it comes to the executive branch. If that mayor wants to decrees an Urban Redevelopment Authority or decrease the Planning Department and increase another department that was fine with the majority of this body as long as he wasn't asking to bump up the total numbers. And if I'm not mistaken the net effect was actually a small minimal decrease in expenditures. So it is true that the Mayor's Department staff did increase but at the same time this mayor decreased other departments; it was a net wash so we are not just building up departments and hiring more people into buying more cars and I think the perception out there -- that's what the perception is out there, I want to make that clear. If anything, over the last four years this city has been so streamlined because of the financial conditions we all face so I want to make that clear.

Ms. Miskovich:

To clarify one point that you had raised, the debt service that we pay is not just on prior vehicle purchases. You had seemed to suggest that we were paying money on vehicles that we

Ms. Miskovich:

Are you only giving me one week?

The Chair:

I was talking about a week or two regarding those 22 but I have no problem working through the budget season on all 98 and just the issue in general on the cars and the policy that should be in place. I'm not ready at this point just to remove 22 and sell them. However, this is Councilman Cohen's bill now and I'm going to turn it over to him. I'm sorry, Councilman Smith.

Mr. Smith:

I want to thank you Director for responding to my initial request with such detailed information. I think it's very important that this information as you have pointed out is public information. We all share in protecting the expenditure of taxpayer's dollars. I had never expected this single request to spark such a debate. What I want to quickly say is that even though I believe there are a couple of flaws in this bill that is before us, I am supportive because I believe that what it is doing is creating a policy and a direction that would be beyond your scope in the future if you should move on to become the mayor or whatever that it would set a mandate for whoever holds your position in the future. So I will be supportive of it but I really want to say thank you because I had a problem earlier in receiving the information that I had requested. Yours was timely, it was concise and it answered all of my questions. So I appreciate your effort and your staff's effort in pulling this together in the time frame that I had asked for.

Ms. Miskovich:

Thank you.

Mr. Cohen:

I also want to thank Director Miskovich for coming here and speaking to us candidly. You and I talked before I even introduced this legislation. I have had a number of discussions since but we have a difference in policy that's all.

I also want to thank my colleagues for their positive remarks about this bill. I hope they translate into votes but even if they don't I do want to clarify a couple of things that you said. I am not questioning 22 cars here, I want to make it clear. I am saying those 22 cars should be eliminated but I am questioning 64 cars, meaning all those cars that are not public safety vehicles and the questioning process that's laid out in this legislation is for the Director of General Services to

written justification but I can't in good conscience do that. My bottom line is that these cars should be eliminated, they aren't necessary. I do think that given the City's financial condition that it's not a proper use of taxpayer's money. They aren't provided for in the private sector and they certainly shouldn't be provided for the taxpayer's sector. Instead we should be reimbursing them and we should save them money so for that reason I would like to put this bill to a vote.

The Chair:

Roll Call vote please.

Mr. Hertzberg:

Mr. Chairman, I would like to make a motion to amend the bill at this time.

The Chair:

Councilman Cohen, are you going to accept any friendly amendments? I know we can still have the amendment and seconded on the floor without your support.

Mr. Cohen:

With all due respect I have to keep the position that I have feel strongly about and that is this was supposed to be a bill to eliminate unnecessary cars. Taking away that section would reduce the bill to paperwork and would gut it so I can't in good conscience do that.

Mr. Hertzberg:

I think to leave Paragraph One in may be economically worse for taxpayers. If we re going to confiscate and sell vehicles including maybe 1993 vehicles, 1992 vehicles, 1994's even and some of these positions you may be 100 percent correct Mr. Cohen and we may be able to do a lot of good for the taxpayers but in some the harm may be worse and for that reason I'm going to make a motion to amend this bill as follows and I'll provide the Clerk with a copy of this. We would delete under Sub-paragraph A, Subsection 1 -- "Sale" and under Sub- paragraph A, Subsection 2 where we have already amended to delete "uniformed", in that same line delete the words included in Sub-paragraph 1 above and in place of that put in there "Assigned to the Mayor and the Directors of the Departments of Public Safety, Public Works, Water and General Services" and then in under Sub-paragraph A Section 3, the final line of that we would delete the words, "Shall be sold according to the terms described in Paragraph 1." And in front of the beginning of that sentence which begins all we would insert "The Director of General Services shall direct the Equipment Leasing Authority to sell." Then we would move

Mr. Cohen:

I will be very brief. I want to thank Councilman Hertzberg for putting it forward. I worked very well with you and I know I'll continue to do that. Mr. Chair, I think that the amendment in my judgment would gut the bill and for that reason I can't support it. I don't know what the harm is that Councilman Hertzberg said in eliminating these cars. There is no harm. I don't know of an emergency meeting that the Director of Personnel would have to go late at night to be able to need a car. All we need to do is reimburse that person for a use of their own car. Everybody else in the world does it and I think we should be doing it too but I would appreciate it if my colleagues would not support the amendment.

Mr. Hertzberg:

I offered the amendment in the interest of trying to get things done. That's been my Number One goal here as a member of City Council to try to get done what I think is best for the City of Pittsburgh and I did not consider whether the ramification on Mr. Cohen for being the sponsor of this bill but if that be the will of Council I withdraw my motion to amend.

Mr. Cusick:

I withdraw my second.

The Chair:

The bill as it stands in front of us.

Roll Call vote please.

ROLL CALL

(NEGATIVE RECOMMENDATION)

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

June 14, 1994

No. 24

Municipal Record

ONE-HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
KURT J. SALAC.....Asst. City Clerk

Pittsburgh, PA
Tuesday, June 14, 1994

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo

(Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer.

We do a Pledge of Allegiance every week, as the public is aware, and today is Flag Day, and we are very honored we have a special guest, a young student, Leah Tecza, her mom is here, Stephanie, and our School Principal from McCleary Elementary School in Lawrenceville is here, Mary Ellen McBride. And, Leah will lead us in the Pledge of Allegiance.

Leah Tecza:

I pledge allegiance to the flag of the United States of America and to the Republic for which it

stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you all. And, good morning to the Veterans I see out there in the audience, a lot of familiar faces from the North Side.

Thank you, Leah, very much. We have a little flag set for you representing the American Flag and our own City Flag.

PRESENTATIONS

The Chair:

We have a number of honored guests in the audience this morning, and at this time I would like to call on Councilman Bob O'Connor.

Mr. O'Connor:

Thank you, Mr. President. Jim O'Brien, would you please come up.

Jerry, you should know this guy, he's a Hazelwood boy, who has done a lot of great things, and I think -- I know he is known for his books, and we are going to talk about those, but I think if you listen to the proclamation, some of the things Jim is involved with and how he handles those books and all the Pittsburgh roots and the Pittsburgh publications.

MR. O'CONNOR PRESENTS

No. 674 WHEREAS, Jim O'Brien is a Pittsburgh native who has taken his brilliant career from being a daily sportswriter, to writing a series of six books that show Pittsburgh offers the best of athletes in all arenas; and,

WHEREAS, the Pittsburgh Proud series of well-researched books have highlighted the great

you will help spread the gospel of Pittsburgh as I have.

Thank you so much for honoring me here today, and Councilman O'Connor, thank you so much.

The Chair:

Thank you, Mr. O'Brien. Mr. O'Brien, many of us have heard you on the radio talk shows, you have done a great job, not only capturing Pittsburgh's history, but when you talk, I know you talk not only about sports but about the history of our City, and you are a great promoter, you are probably one of our best goodwill ambassadors promoting this City, and we just want to congratulate you very much.

Mr. O'Brien:

Thank you. When I leave here I am going to Lawrenceville and my mother lives in the San Augustine Apartments and when she sees a certificate with your name on it she'll know that I've done well.

The Chair:

Very good. All right, Mr. O'Brien. Thank you very much.

At this time I would like to call on Councilman Dan Onorato.

Mr. Onorato:

At this time I would like to call forward Ed Evans, if you could come up here, Russ Wagner, Pius Raw, John Fredley and Bill Yost. And, as they are coming forward, Mr. President and colleagues, this is Flag Day and I am proud to represent the area that has been honoring Flag Day with a parade for many years, and I understand Pennsylvania is the only state that has the official Flag Day celebration. And, my colleagues, if you would look, you have the Flag Brochure on all of your desks, if not, we have some more here.

At this time I will read the proclamation and we will get to the speakers.

MR. ONORATO PRESENTS

No. 675 WHEREAS, on June 14, 1777, John Adams introduced through Congress a resolution stating that the flag of the United States shall be thirteen stripes, red and white, alternating, with a union of thirteen white stars on a blue field; and

WHEREAS, Flag Day was first observed in 1877 on its 100th anniversary and is only a legal holiday in Pennsylvania. It has since been known as "A time to honor America"; and

WHEREAS, on Tuesday, June 14, 1994, The North Side Veterans Council will commemorate its Fifty-Eighth Annual Flag Day Celebration, marking the 217th anniversary of the adoption of the flag; and

WHEREAS, the North Side Veterans Council, which was organized in 1937, and The American Flag Day Society of Pennsylvania, Inc. will honor the flag of our country with a parade and patriotic rally at Sue Murray Playground in the North Side of Pittsburgh; and

WHEREAS, the parade which honors the flag of our country through patriotism, respect, and homage is the only flag day ceremony held throughout the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and joins the North Side Veterans Council in honoring their fifty-eighth annual Flag Day celebration.

MR. ONORATO moved to adopt the resolution.

MR. SMITH seconded the motion.

Which motion prevailed.

Mr. Onorato:

Mr. Evans, before I bring you up here, I am going to invite my colleagues to show up tonight if they can make it. It starts at 6 o'clock, correct?

Mr. Evans:

We assemble at 6, we march at 7.

WHEREAS, in collaboration with UNICEF of the United Nations, and the Organization of African Unity, DAY OF THE AFRICAN CHILD has evolved to a celebration and commemoration of African children throughout the world; and

WHEREAS, in 1993, activities took place on every continent and in over 40 African countries. In the United States, President Bill Clinton, along with 67 Mayors and seven Governors, signed official proclamations establishing June 16, 1994 as DAY OF THE AFRICAN CHILD; and

WHEREAS, Valerie Lawrence, Coordinator for DAY OF THE AFRICAN CHILD, on behalf of Kuntu Writers Workshop, The Urban Peace Committee, NAACP, Monumental Baptist Church, Friends of Martin Luther King, Jr., Reading Center, Schenley Heights Association, seeks to raise the consciousness level of our community of the significance and importance of the celebration of DAY OF THE AFRICAN CHILD.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh joins this collaborative effort and takes pride in offering our collective voices, our strength, and our resources in support of African children here in Pittsburgh, and African children around the world, and declares Thursday, June 16, 1994 as DAY OF THE AFRICAN CHILD in the City of Pittsburgh.

MR. SMITH moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Smith:

Thank you. I just want to tell you that it is extremely important that we raise the consciousness level of all of our citizens to the plight of our children. A society is measured only by how it treats its Senior Citizens and its children, and we must raise the consciousness of everyone to the plight of our children.

Congratulations. Please.

Ms. Lawrence:

Thank you and good morning to everyone. To the City, to the Council and to all the citizens that

are here, I would like to invite you on behalf of all the organizations that I represent to attend the day of the African Child Celebration and Commemoration on this Thursday.

As has been said what we do for our children reflects how we think about our community and how we think about ourselves and our future. The future of our children rests not solely with the Africans in this community but with all the citizens of Pittsburgh. So, we beseech you to come out and join us as we stand up and support our children. Thank you.

The Chair:

Thank you.

Mr. Smith:

Will Thompkins, Bernard Jones, and I am going to kill this, Karris Williams, from the Urban Youth Action Program. Welcome.

MR. SMITH PRESENTS

No. 677 WHEREAS, Urban Youth Action was founded by Mr. Bernard H. Jones, Sr., and was incorporated on February 6, 1969. On Wednesday, June 15, 1994 UYA will celebrate 28 years of service to the Pittsburgh and Allegheny County communities; and

WHEREAS, Urban Youth Action's mission statement gives positive affirmation for the existence and purpose of this dynamic agency and also says a resounding "Yes!" to youth who dare to dream, study, and work to realize their fullest potential. Their Goals are:

"To encourage young people to prepare themselves for, and to take advantage of, the opportunities available in education, employment, business, economics and government.

"To develop a community of adults and young people who share many values, goals and responsibilities, dedicated to the development of the whole person into a confident, courageous, self-disciplined, and responsible person"; and

I was told the other day by some young people that it's war out there, and we have been in the mist of that battle for 28 years and I promise you we will be in the mist of that battle for 28 more years. Thank you very much.

The Chair:

Thank you, Mr. Jones. Thank you all and congratulations.

MR. SMITH PRESENTS

No. 678 WHEREAS, for more than 40 years, Reverend & Mrs. Charles Upshur, Administrator and Director of the Greater Love Outreach and Pastors of the Miracle Deliverance Church of God In Christ, have been reaching out and serving those in need; and

WHEREAS, their ministry is located on Fifth Avenue in the Uptown community of the City of Pittsburgh. Greater Love Outreach offers many services to the community, including a food pantry, shelter, a resources and referral department, drama workshops, a substance abuse program, and decentralized youth programs in the Hill District, North Side and St. Clair Village; and

WHEREAS, the Greater Love Outreach Ministry sponsors special programs as an organization, and also networks with other agencies in the community to achieve similar goals. The organization sponsors an annual Thanksgiving Dinner at the Fifth Avenue location in which more than 200 persons attended in 1993. Volunteers actively recruit persons to attend the Salvation Army's Annual Christmas Dinner, held at the major hotels in downtown Pittsburgh; and

WHEREAS, through hard work, dedication, commitment, and the joy of helping others in need, the Upshurs continue to be partners in many of the "Miracles on Fifth Avenue". Both have taken the tenets of their faith literally as they have fed the hungry, clothed the poor, and continue to join with others in the community who do the same; and

WHEREAS, on June 25, 1994, at 6:00 P.M., an Appreciation Dinner will be held at the Vista Hotel to honor Pastor Marie Upshur and Pastor Charles Upshur for extending a helping hand to families

and individuals in need throughout the neighborhoods and communities of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh gives praise to Reverend and Mrs. Charles Upshur for providing humanitarian services to hundreds of citizens in the City of Pittsburgh, and declares Saturday, June 25, 1994 as CHARLES and MARIE UPSHUR DAY in the City of Pittsburgh.

MR. SMITH moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

At this time we will move into Presentation of Papers.

MR. COHEN PRESENTED

No. 679 Resolution amending Resolution No. 352, approved May 19, 1994, entitled, "Resolution providing for an Agreement or Agreements with organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh," by increasing the amount allocated to the Mel Blount Youth Home by \$2,000.00 from \$10,000.00 to \$12,000.00.---(SPONSORED BY MR. COHEN)

Which was read and referred to the Committee on Public Safety.

MR. ONORATO PRESENTED

No. 680 Resolution providing for the transfer in the amount of Eighty-One Thousand Two Hundred and Fifty Dollars (\$81,250.00) from Code Account 45, Index Code 004507, Health Insurance, to Code Account 53, Index Code 005306, Debt Service Auditorium Authority of Pittsburgh and Allegheny County. (The purpose of this transfer is to pay the City of Pittsburgh share of the Auditorium Authority Debt Service on the 1978 Series C issue).

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bill only until or

No. 688 An Ordinance amending the Pittsburgh Code, Title Six, Conduct, Chapter 616, Damaging, Defacing and interfering with Property, Section 616.01, Prohibited Conduct, to specifically protect parks and park fixtures from damage or defacement.---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 689 Resolution authorizing and directing the Controller to transfer \$10,000.00 into the Department of Parks and Recreation's Miscellaneous Service Account.---(SPONSORED BY MR. FERLO)

Also,

No. 690 Resolution authorizing and directing the Controller to encumber the funds in Code Account 1801 B-5 for the purpose of engaging the services of a private security firm.---(SPONSORED BY MR. FERLO)

Which were severally read and referred to the Committee on Finance.

Also,

No. 691 Resolution authorizing and directing the Director, Department of Parks and Recreation, to hire a private security firm to protect parks and playgrounds from vandalism.---(SPONSORED BY MR. FERLO).

Which was read and referred to the Committee on Parks and Recreation.

UNFINISHED BUSINESS

The Chair:

Councilman Smith.

Mr. Smith:

Yes, sir. Under Unfinished Business.

The Chair:

Would you like to just sit from your desk, this is probably going to be a lot of discussion?

Mr. Smith:

No problem.

First I would like to motion to substitute Bill 421 with the copies that were dispersed to my colleagues.

The Chair:

Motion to move by a substitution is in order.

MR. ONORATO seconded the motion.

The Chair:

All in favor?

WHICH MOTION PREVAILED.

Mr. Smith:

Thank you.

Briefly, and I know that does not occur often with me. What you have before you is a re-written piece of legislation; we must at times make tough decisions for tough policy that affects the future generations. It is sometimes the good of the many -- well, it should always be -- that the good of the many is outweighed by the desires of the few, and I think we need to take our time to pay close attention to decisions that will affect the next hundred years of this City and this region. I would ask my colleagues for support in this resolution, it has addressed many of their issues that they initially had problems with, and I hope and trust that we can get this on the board so that there will be an opportunity to be an integral part of the future of this region.

The Chair:

There is a motion on the floor, further discussion?

Councilman Hertzberg.

Mr. Cohen:

Thank you, Mr. President.

First of all let me just reiterate that this is a non-binding resolution, that City Council has no legal authority over this issue, but at the same time it is a very difficult issue, and the reason is that -- good arguments, I believe, have been made on both sides, and I want to commend Councilman Smith for raising this, and I agree with him about many of the aspects of his resolution.

I do agree, of course, that we have to have rational planning of the portion of this highway project from Route 51 to the City of Pittsburgh, and we have to ensure that segment of the highway does not disrupt any of our City neighborhoods, whether it be the Oakland neighborhood or the Nine Mile Run area in Squirrel Hill or any neighborhood. So, we have to address the impact of the project on the entire City and have a strong measure of control over that impact. The entire highway, but especially the portion into Pittsburgh, obviously, because we are the Pittsburgh City Council, but also that is the most populous section of the highway, also has to be environmentally sound.

And, I also support the aspect, which I think was taken out in the last version, but the aspect that supports the spine line and MAGLEV. The spine line, of course, which would relieve a great deal of congestion, particularly in Oakland, and hopefully would go from the North Side through Downtown, all the way through Oakland. But, also MAGLEV, which we have discussed in this Council Chambers many times. MAGLEV, I think is so important to the Pittsburgh area, not only for a pilot project between the City of Pittsburgh and the airport, but more importantly we can have Pittsburgh be the construction point for MAGLEV, for us actually to bring manufacturing back into the City and have Pittsburgh be the location where we construct MAGLEV trains for the entire country and for the entire world.

But, my understanding, as Councilman Ricciardi mentioned, my understanding is that supporting or having the Mon Valley Expressway, the Mon-Fayette Expressway, does not preclude other federal projects, we have to aggressively work for all of them.

That having been said, those are the aspects of the resolution that I support, but I do believe that the resolution sends the wrong message at this time and I think that the message is inconsistent with two very important principles. One is that we act together as a region, and Western Pennsylvania is a region that has to work together and to be able to improve our conditions. Somebody once said that a rising tide lifts all boats, and I think that is true of Western Pennsylvania. The other is that economic development really has to be our number one priority. Since 1980, the Pittsburgh area has lost more jobs, more per capita income and more population than any of the other top 25 areas in the United States of America and for that reason we have got to bring jobs back, we have got to bring investment back, particularly good, solid jobs that can spin off many jobs in the service sector and that this project, I think, will mean many jobs.

But, there is, as Councilman Ricciardi said, a public process for each segment of the project and that will include several public hearings. I think we all have to work zealously, including testifying and lobbying to make sure that the project does not disrupt our neighborhoods, but I would like to do that within the public process that is set out. So, I do not consider this the end, I consider this the beginning, the beginning of this City Council working hard to make sure that the impact on the City of Pittsburgh is minimal and that it does not disrupt our neighborhoods, but at the same time I do not think we should be disrupting the process. Thank you.

The Chair:

Thank you, Councilman Cohen. Others?

Councilman O'Connor.

Mr. O'Connor:

I just wanted to agree with Mr. Cohen, I think he eloquently stated almost all our concerns. I won't be supporting the resolution but I will -- I do commend Mr. Smith for bringing up a major issue, especially facing my end of the City, the whole East End. I think, outside of maybe jobs and crime, the number one issue there is traffic. Between Oakland and Monroeville, we're kind of caught in the middle. We cannot wait, even no matter if this is planned and perfect to everyone's satisfaction, neighborhood, residential, we -- I

citizens throughout the City and the business community. I do not think we have really formulated that agenda. We have not really actively been involved in defining or deciding what kinds of expenditures we want under the Federal ISTEA Legislation. This Council has not been actively involved, and I think if we are going to have an articulated voice on the SPRPC, which ultimately will sign off on some of these issues, I think we need to act, not only as a City but I think we need to act as a county. I think whatever our agenda is, my understanding is the Commissioners now have some major reservations about the Southern Beltway.

I think because of the economic issues we really should be working out and hammering out a joint policy with our County Commissioners and the Mayor and City government regarding what our agenda should be for the region. We built a multi-million dollar airport that probably has benefited Beaver County more than it has inner City neighborhoods here in the City of Pittsburgh and I think we have to be honest about that.

So, I applaud Councilman Smith for moving this debate ahead, and I think it would be ashamed if this is just a simple vote "yes, no" on a resolution that does not have a direct legal impact. I think rather we should try to refocus in on the process and start establishing some collaborative effort with the Mayor and the Commissioners on what our City and county policy should be regarding the major expenditure of these federal dollars. So, I hesitate to vote on the resolution because I do not think it is the appropriate action that we should be focusing in on at this time.

Other discussion?

Hearing none, we will now have a roll call vote on the resolution offered by Councilman Smith.

Ayes:

Mr. Smith

AYES 1 NOES 7

VOTING NO:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Ferlo
Mr. O'Connor (Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

The Chair:

The motion is defeated.

Councilman Smith, do you have any other resolutions or proclamations?

Mr. Smith:

No, sir.

The Chair:

Thank you very much.

Under Unfinished Business, are there any reports from standing committees or any matter under Unfinished Business?

Mr. Cohen.

Mr. Cohen:

Mr. President, I would like to talk about TCI but I can save that for Motions and Resolutions, I think that is appropriate.

The Chair:

Whatever is your pleasure.

Just on the Pirate issue, we did receive some financial information which was forwarded to Council yesterday afternoon. We did ask for two other pieces of information, one was -- and this may not be the majority view of this Council and you could please say so, but I would like to suggest that we get a letter, a commitment letter of some sort from the private organization running the Pirates regarding the Mayor's overture, and that was that the eight million would be matched with a much larger sum of money from the private investors.

Bill No. 629 A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Steven L. Monteverde for the sale of parcel 14A in the Twenty-Fourth Ward of the City of Pittsburgh in Redevelopment Area No. 48, at a cost not to exceed \$20,000.00 (PARKING).---(COUNCIL DISTRICT NO. 1)"

Which was read.

Also,

Bill No. 630 A Resolution entitled, "Resolution further amending Resolution #1455, effective January 1, 1994, entitled "Adopting and Approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program; and approving the 1994 through 1999 Capital Improvement Program, "by creating a New Line Item (Station Square Road)."

Which was read.

Also,

Bill No. 631 A Resolution entitled, "Resolution approving execution of a Contract for Disposition by sale of land by and between the Urban Redevelopment Authority of Pittsburgh and Perry Hilltop Association for Successful Enterprises, Inc., for the sale of Block 23-H Lot 229 in the 25th Ward of the City of Pittsburgh. The property will be sold for an amount of \$6,000.00 plus costs. (RESIDENTIAL REHABILITATION)---(COUNCIL DISTRICT NO. 6)."

Which was read.

Also,

Bill No. 632 A Resolution entitled, "Resolution approving execution of a Contract for Disposition by sale of land by and between the Urban Redevelopment Authority of Pittsburgh and East Allegheny Community Council, Inc., for the sale of Block 24-J Lot 54 in the 23rd Ward of the City of Pittsburgh. The property will be sold for an amount of \$1,000.00 plus costs. (PARKING)---(COUNCIL DISTRICT NO. 1)."

Which was read.

Also,

Bill No. 634 A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority to acquire all of the City's right, title and interest, if any, to the Publicly-owned property in the 32nd Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot 95-P and Block and Lot 138-B-34, under the Residential Land Reserve Fund.---(COUNCIL DISTRICT NO. 4)."

Which was read.

Also,

Bill No. 635 A Resolution entitled, "Resolution approving execution of a Contract for Disposition by sale of land by and between the Urban Redevelopment Authority of Pittsburgh and Scott A. and Debra Ann Molitaris for the sale of Block and Lots Nos. 95-P-85 and 138-B-34 in the 32nd Ward of the City of Pittsburgh. Total purchase price of \$1,300.00. (RESIDENTIAL PARKING/SIDEYARD)---(COUNCIL DISTRICT NO. 4)."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

Councilman Hertzberg.

Mr. Hertzberg:

Yes, on Nos. 627 and 630, this is regarding the Station Square Phase II Project and the roadway that the City is now proposing to build that runs from West Carson Street to the edge of the Lawrence Paint property, I want to thank Mayor Murphy, Mulugetta Birru at the URA, Tom Cox and Steve Leeper for getting aggressive and getting started on this, it has been needed to get started for a long time, and I would ask that my comments from the Standing Committees Meeting be brought forward, and I hope everyone will vote along with me in favor of those two items.

(REMARKS -- SEE ADDENDUM)

The Chair:

Having already voted on the issue.

Ayes:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Smith
Mr. O'Connor Mr. Ferlo

(Pres't)

AYES 8 NOES none

The bill having received the legally required number of votes passed finally.

MR. CUSICK PRESENTED

Bill No. 694 Report of the Committee on Engineering & Construction for June 8, 1994 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 651 A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts for Construction of a Pedestrian Walkway from Three Rivers Stadium to Point State Park, and for Construction Inspection Services for said project; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof. (Funds for this project (\$2,500,000.00) to (\$3,500,000.00) are available in #S Code Account EC94-451, 3-13-01-4173-94, Index Code 871137. This Resolution also provides for the partial front funding of this project)."

Which was read.

Also,

Bill No. 655 A Resolution entitled, "Resolution further amending Resolution #1455, effective January 1, 1994, as amended, entitled "Adopting and Approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program; and approving the 1994 through 1999 Capital Improvement Program; and approving the 1994 through 1999 Capital Improvement Program, "by transferring a line item (451 Stadium Ramp Improvements) from the Department of City

Planning to the Department of Engineering and Construction, and by providing 1994 funding for said project."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

Councilman Onorato.

Mr. Onorato:

Mr. President, I forgot, the previous set of bills, if I could just have my comments brought forward on Bill 592.

(REMARKS -- SEE ADDENDUM)

The Chair:

So ordered.

Other comments or discussion?

Councilman Cohen.

Mr. Cohen:

Mr. President, I would like my comments brought forward on Bill 651, regarding the pedestrian walkway, please.

(REMARKS -- SEE ADDENDUM)

The Chair:

Very good.

Hearing no other discussion, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi

Manager of TCI, as will Deborah Miskovich, the Director of General Services, and Mr. Ashley Schannauer, the lawyer in the Law Department who has been working on this issue. So, I look forward to a fruitful discussion on that issue tomorrow.

The Chair:

Thank you, Councilman Cohen. We will schedule the hearing. In relation to the folks tomorrow that we have asked to come in, I would have to ask cooperation, permission from Chairman Onorato of Finance, the plane flight was such, in order to save money and not have this gentleman be here last night, it would be nice if we could hold the bill to the last bill on the agenda, rather than spend the extra money to bring him in here the night before. Councilman Onorato?

Mr. Onorato:

Well, on the spirit of fiscal cooperation, I have no problem with doing that, Mr. President.

On a different matter, I just want to put them on notice. Last weekend, or two weekends ago, Alcosan set out an odor across the North Side that was unbelievable, it was one of the worse I can remember, and it reached further into other neighborhoods outside of Brighton Heights. I do not know what the problem was down there, but it appears that in the last two weeks there has been an unusually high number of incidents where the smell has been out of control.

I would just like to send a notice from this body at the request of Councilman Onorato, and then with the support of my colleagues here, to ask the Executive Director to explain what happened the last two weeks and what are the plans to resolve the problem.

It is the beginning of summer, but I think it is important that we get this on the record, so if I have to pull it up in a few months and this continues, I want to keep track of it.

So, I would like to make a motion that we send a letter to the Executive Director to explain what happened in the last two weeks over at Alcosan, that the smell continued for about a day and a half, and how they are going to solve it, and if it was

a one-time incident, I would like to have the explanation in writing to this body.

The Chair:

Motion to communicate to the Alcosan Executive Director for the purpose as so stated. Is there a second?

MR. SMITH seconded the motion.

The Chair:

All in favor? Motion carries.

WHICH MOTION PREVAILED.

The Chair:

Other discussion?

Just very briefly, I would like to ask for a report from the Finance Director regarding why so many PGH-40 tax returns are going to be late. I have been trying for several months to get somebody paid who filed, they are owed several hundred dollars, they filed very early in the year, my understanding is we may end up paying interest rates and interest fees on thousands of the PGH-40 returns. This is where individuals are owed, some as little as 5, 10, 20 bucks, some are owed 2, 3, \$400.00, and unfortunately, I do not know what the problem is, but there very well may be a situation where a large number of these tax returns are going to be late. I think June 30th is the deadline.

I would like to ask that the Finance Director communicate to us and give us an update and a listing of how many returns have been completed, why so many are outstanding, how many he anticipates will not meet the June 30th deadline and will require an interest payment to be paid and why we cannot get a quicker system of returning individual tax returns. I filed my taxes on April 15th with the Feds, I got my check I think five weeks later.

I have individuals from my Council district who are complaining to me that have waited for three months, and I do not understand what the problem is.

Any other discussion? Councilman Smith.

(MESSRS. HERTZBERG & COHEN'S COMMENTS ON BILLS NO. 627 & 630)
(Wednesday, June 8, 1994)

Mr. Hertzberg:

Thank you, Mr. Chairman. This is a project that I am extremely familiar with. We have held at least three meetings, possibly four meetings, on this topic and it is a very worthwhile project. I hope all of City Council will support it. It is something that we can't get done fast enough.

With this particular project, we will be putting in a road that will run from West Carson Street to the rear of the Lawrence Paint Building. With the completion of this road, there is a commitment to then start, finally, the renovation of the Lawrence Paint Building, possibly the biggest eye sore in the entire area, but nonetheless, a beautiful building once it is rehabilitated. There is a \$1 million grant in place to rehabilitate the exterior of that building, and that will commence as soon as we finish this road, and then the total renovation of the interior into condominium residences will then start after that. Then once that all falls into place or at least our segment here of the road, we are very optimistic that the balance of this road running from the Lawrence Paint Building to the Sheraton Hotel will be constructed, and with that, we are looking at large scale development -- possibly two hotels, three office buildings, entertainment complex, festival center, arena -- with projections of up to 5,100 construction jobs, 2,500 permanent jobs and a tax revenue of up to \$7 million a year.

So this is the beginning and I hope everyone supports it. In fact, there is already some work going on that we committed to I guess last year, which is the intersection itself of West Carson and this new road. The construction is ongoing today; if you drive by, you will see the orange cones there.

So I feel comfortable voting on this right now as soon as we can. If anyone has any questions, I am pretty confident I can answer them.

(Deleted text.)

Mr. Hertzberg:

One item I neglected to mention regarding the Lawrence Paint Building and some of the plans for that, the developer is the Sanbrano Corporation, 100 percent union construction, but not only that, the financing is 100 percent union; I believe it is the AFL/CIO pension fund development money that is being used both to do the interior renovations and it will also be available for purchasers of individual units. Big union job.

Ms. Miskovich:

Thank you.

Mr. Ricciardi:

I differ that I believe this can be a legislative act. I would never tell Mr. Cohen to amend the bill or delete a certain section, it is his bill, he has always respected the bills that I put forward, but I hope, Mr. Cohen, that you either address or you at least see some of my concerns.

Why not let the Director go forward, we could either do it through a policy decision, which I think the Director has agreed she is already doing now, or we could even do it through a legislative decision, but I do not feel comfortable removing cars without the justification, and I am always going to keep in mind that this Mayor is the administrator of the City, we are the legislative process, we have to strike that fine balance, it either can be through legislation, where Mr. Cohen can meet with the Director and Mayor Murphy and others and come to this body with the proper balance or it could be just unilateral that this body will take action.

I must say I do not see abuse of the cars. I do not picture these cars as being political perks here in the City of Pittsburgh. I really believe that they are part of the tools that Mayor Murphy has given his staff to do a fine job; however, until I see your report, Director, I am going to hold off on giving my final position on them, meaning that until I see your report, I might disagree or change that statement that I have just made.

But, again, I have to say it is a bill well put together. That is the reason I first moved on putting municipal plates on cars, Dan, because I always thought that if there was an ability to abuse cars, it would be difficult to abuse a car with a municipal plate, if someone was out at midnight with a municipal plate, that would rein them in.

The Chair:

Hold on, we're taking a break while we switch stenographers.

(At this point, Ms. Bruska resumed stenotyping the meeting)

(Continued on next page with no loss of context)

CHERYL L. WILDS
STENOTYPE REPORTER

Ms. Miskovich:

There was a singular issue. On the sale of the vehicles and this is something I apologize and I should have said at the onset. What I do know only having been a month on the job is that if for instance we were to pull -- if it were within my discretion or within the discretion of the Mayor's Office or felt with this body if there was a determination to pull "x" number of vehicles, I can tell you that what I have learned so far is that the last thing I would want to do is to sell those vehicles. I would take my Bonnevilles for instance, the last purchase that was made of Bonnevilles was in 1992. We paid -- although those vehicles sold at that time over \$22,000.00, we buy them direct from the factor and I paid \$15,500.00 for those vehicles. We then add the radios in-house rather than having all the additions put on in the factory. I would not take a 1992 Bonneville that was removed from an assignment to an individual and sell it. I would move that into my motor pool and I may take a 1983 vehicle that I have presently that requires a lot of service and I would put that in the auction but I apologize and -- frankly I see Councilman Cohen's occupied -- I would want to point out to each and every one of you -- I apologize in advance. That is something that normally I would have said at the outset. That the information that only I would reasonably have, but no matter what you do with this legislation you don't want to sell those vehicles.

My apologies to you Councilman Cohen because you and I chatted briefly before I was called to the table and I frankly, as you know, I don't play poker for a good reason. It's much easier for me to be candid than it is to hide shells. I did not if Councilman Cohen had heard me. No matter what Councilman Cohen, I would not recommend the sale of these vehicles. Even if this legislation were to pass, I would much prefer, it would be by far more economical to the City that any vehicles that have a useful life remaining with them to stay in the motor pool and that I pull out vehicles that now require a great deal of maintenance and upkeep and put those in the auction. That may be something that you may want to consider.

Mr. O'Connor:

What did you do with the cars that you eliminated?

Ms. Miskovich:

I put them in the motor pool the ones that were active and I pulled the vehicles that what I have indicated to Councilman Cohen for an auction that I have scheduled this summer.

Mr. O'Connor:

So you're going to auction the less desirable junkers.

Ms. Miskovich:

The junk and the vehicles that I believe no longer have a useful life to the City. Not everything that we auction is no longer desirable. It's just no longer desirable for our purposes. As you can appreciate the mileage put on by a citizen versus the mileage put on by a city employee travelling putting on an average of 200 miles per day makes it much more harder on the car.

Mr. O'Connor:

How many cars are in our motor pool?

Ms. Miskovich:

In our motor pool we have 1400 vehicles. -

Mr. O'Connor:

That's counting police cars?

Ms. Miskovich:

Correct.

Mr. O'Connor:

How many are available right now if nine of us wanted to -- we had to go to a meeting so instead of using my personal car which I think we all do most of the time, we requested ten cars and we had to go somewhere to a meeting, how long would it take to get the car?

Ms. Miskovich:

I have one motor pool that is the Department of General Services Motor Pool. In that motor pool I have 15 active vehicles. In addition to that each department that has, such as the Department of Engineering and Construction, the Department of Public Works, they have assigned to them a motor pool with cars that are utilized only by their department but it is on an ongoing basis. They require them daily and to have them sign them out of my motor vehicle pool only adds paperwork to the process. I have 35 vehicles in and about motor pools assigned to various departments.

Mr. O'Connor:

If someone comes to work and they take the car and they go somewhere on the job. Do you know -- for example there is 22 cars in the Mayor's Office and if ten of them needed a car to go to a meeting, would they be available on a ten minute notice?

Ms. Miskovich:

Technically if nobody else is using the cars then they would be available but I have a limited number. If I ended up getting two requests from Parks and Recreation and one request from General Services and even one request from Council, I may not have the vehicles available. I don't maintain the type of fleet that we did in the past. In the prior years we had a fleet of up to 1700 vehicles. What we did was pare them down where we did not have an excess of vehicles and we increased the number of auctions so that those vehicles which no longer had a useful life to us but still would serve a useful purpose to other persons were still marketable, that we weren't just putting out scrap.

Mr. O'Connor:

Do we have a history or would you have this of say five years ago how many cars versus vehicles all together, police cars, et cetera et cetera, Public Works?

Ms. Miskovich:

Would I have access to those statistics?

Mr. O'Connor:

You wouldn't have that on top of your head but could we see a chart like that how we have scaled back?

Ms. Miskovich:

Yes.

Mr. O'Connor:

Hopefully we have more police cars now than we did three years ago because we have more officers.

Ms. Miskovich:

Yes, you may. That information is all accessible going back five years.

Mr. O'Connor:

Also, I would be interested to know what the insurance versus a person using their private car what the insurance cost will be to them. I am talking mainly about people in the Mayor's Office, Assistant Directors and the people who really go to meetings; I am concerned. I have been to a number of the neighborhood meetings where the Mayor brings his staff there, the key people. Now are they in their own car and right now I

believe most of them are in city cars. We might want to analyze how much that is going to cost that person. When he uses his or her car for personal or business use his insurance will go up and I think we ought to analyze all these things before we just pull them out.

Mr. Cohen:

May I respond to that? The City provides insurance for those vehicles. For many of those vehicles the City goes out to a private insurer to insure those vehicles even though the City is self insured. The others are of course insured by the City in the sense that if any accident occurs then the City would pay for that. But we go out to a private insurer for many of these cars too. Everybody outside of government who goes to work every day uses their own car. Their insurance does not go up if they have to use their cars.

Mr. O'Connor:

Let me make it clear. Someone who in fact -- Mr. Ricciardi and I learned -- I agree here, you have something here. You opened Pandora's Box which we should and take a hard look at all these cars. Mr. Ricciardi and I found out about eight months ago that someone on Council payroll actually had a car and we weren't aware of it who just came and went back and forth to work which Mr. Ferlo corrected that. So I sat there two years and didn't even know it so I think there's probably a lot more like that. Deborah cut ten or eleven cars out of her department and that's an 80 percent savings right there so out of those 22 cars in the Mayor's Office one-half of them may be totally wasted. If someone is driving back and forth to work I certainly agree that they are not needed. My concern is that people, whether they be in the Mayor's Office or our staff or any staff in the city, especially Parks. I know Parks on the Fourth of July I had my kids at a pool and there was one of the Assistant Directors was going around on the Fourth of July to hit the pools to see what was going on and I respect and admire him for doing that. So again does that justify a car? I don't know but it might especially if his wife and kids wanted to say -- "Hey, we're going on a picnic and we're taking a car" and he says he'd like to go and check on some pools, I feel they all should be analyzed.

Also now the insurance issue. If I'm going to a neighborhood meeting now and I have an accident am I insured?

Mr. Cohen:

Not if you are doing it on city-owned business which is what we do with all cars anyway. As you know, we have a lot of judgments that come before Council that we pay for accidents if

they occur as a part of city business. I would not discontinue that policy.

Mr. O'Connor:

There's a fine line between city business. On my way to church I might stop at a community event and I see directors doing that all the time. There's a fine line here of what city business -- so I thought they were all self insured.

Mr. Hertzberg:

It's also going to depend on what coverage you're talking about, whether it be medical payments, whether it be property damage --

Mr. Cohen:

-- exactly what the City does now.

Mr. O'Connor:

I think it's something we should look at. I think you have a lot of potential here and we should open up and I want to be very careful who we cut. I don't think the three percent elimination of certain employees' salaries was fair. If we do it we should analyze everyone using these cars.

Ms. Miskovich:

Mr. O'Connor, in response to your initial question to me, I only insure 25 of 1400 vehicles.

Mr. O'Connor:

The rest are self insured.

Ms. Miskovich:

That's correct. I only pay insurance on 25 vehicles of the 1400.

Mr. O'Connor:

Even these 98 who go home, they're all self insured?

Ms. Miskovich:

Yes, unless they are one of the 25. I have the Bonneville's under an insurance policy, one blanket policy and curiously enough I do have that figure in my office available because although nobody asked of me I am doing a review of all of the insurance for the City since it runs through my department as

well and I looked at the figures. If you need it I can provide it to you.

Mr. O'Connor:

Mr. Cohen is on the right track because I personally think there's at least ten percent. We've talked about the budget and I think we can cut ten percent out of the city budget tomorrow if we all roll up our sleeves and do our homework. It is easier said but it can be done with a change of attitudes. Now this is one approach we should be looking at very carefully.

I would support this only if I like Councilman Hertzberg's amendment, I think we ought to consider it because we should. You're only asking for 30 days to analyze the 22 cars over there and possibly if they do as good a job as Deborah did, 80 percent of them will be eliminated but I think we ought to analyze the use of them. So I would support everything here but I question the first part and I think he has a good amendment to it for now.

The Chair:

I'd like to have few comments then I will turn it over.

I agree with 90 percent of this legislation and what Councilman Ricciardi said I agree with and I've read everything and I have a hard time just with the first section; the sale and the removal of the cars. But I want to bring up Director, Councilman Cohen passed this around, a copy of this page from the budget and the \$6 million. I can remember going through budget deliberations last year and the year before. If I'm not mistaken a majority of this line item the \$6 million is for debt service and the issue that I brought up 24 months ago is that the Equipment Leasing Authority might have been a good idea when it was originated but my concern was the increase in the debt service on this line year after year and if you look here you can see how it's jumping up and we're paying a yearly debt service -- this is for this year -- for cars that have been purchased in prior years and my concern then and it is now is that our out-of-pocket cash flow is going up while our fleet is getting older and we're paying for previous purchases and I was afraid that we were going to get to a point where our debt service is so high and we're paying for five-year old cars and we don't have the money to upgrade anymore. The original intention behind the Equipment Leasing Authority was to go out, get control of the fleet, raise money and upgrade the police cars which is a great idea but I think now with Councilman Cohen's legislation this might be the time to re-think the policy of the Equipment Leasing Authority and just cars in general because for a debt service, and I think we should make that clear -- \$6 million, we're not buying one new vehicle with that money. That's for all prior purchases and that's a pretty

scary number when you look at that number considering how cars age.

Another point I want to make clear and this is because of the media and just the way they covered this whole issue. We have 98 cars listed here and Councilman Cohen is questioning 22. Obviously I'd like to have your response within the next week or so of what you think of those 22 either justifying their existence or your improvements over the next several months leading into the budget deliberations. But there are 98 cars and 22 are being questioned at this point for the Mayor's department. I think this body can discuss this and this body is objective for the fact that we don't have cars here and I want to make that clear for the listening public in that we're not debating this worried about protecting the cars that we might have. We do not have city cars and I think it's important we stress that point. We're discussing and debating the issue of which city employee should have cars and is it important and there are a lot of good issues that were discussed here. Councilman Hertzberg made a good point in that one of the negatives about working for the public sector is that usually the salaries are a lot lower than in the private sector. Does that mean you should compensate for a car? It all depends on the position and what those individuals are doing.

I would like to see a written justification and the other items that Councilman Cohen has in this bill in the future because I think it will then keep everyone honest because there's going to be a day when you're not sitting in that chair, when I'm not sitting in this chair but it's a protection process that we put in place for future councils, future directors, future mayors so that the City of Pittsburgh taxpayers have some faith in the system.

There's another point I want to stress here. There has been no cars purchased under this administration; is that true?

Ms. Miskovich:

Have we taken delivery of vehicles? Yes. I don't want to use -- the term "purchase" when you take delivery is technically when you purchase in a legal sense and I'm --

The Chair:

-- you received new cars purchased from the administration, I understand that.

Ms. Miskovich:

Have I gone out and bought any vehicles in calendar year 1994, no. Prior to my coming were any vehicles purchased?

The Chair:

Mr. Perrett, let me clarify the question. I'm not talking about police cars, I'm not talking about those vans in Public Works. I'm talking about cars that are unmarked that might have a municipal plate that are given to employees. Have we purchased any cars?

Ms. Miskovich:

No, we have not. I knew that we had purchased some dog vehicles for our Animal Control officers.

The Chair:

I want to stress this because it's very frustrating when -- the one problem that I have in my district and I'm sure my colleagues have in their districts are dealing with the image that the Mayor's Office has been increased tenfold and that cars are being purchased to be given out everywhere.

Ms. Miskovich:

That's absolutely false.

The Chair:

I know but I want to make something clear here because I sat through the deliberations last December when there was a transition team between administrations and we agreed that an incoming administration has the prerogative to redesign his departments the way he sees fit and all of the departments are under the control of the mayor when it comes to the executive branch. If that mayor wants to decrees an Urban Redevelopment Authority or decrease the Planning Department and increase another department that was fine with the majority of this body as long as he wasn't asking to bump up the total numbers. And if I'm not mistaken the net effect was actually a small minimal decrease in expenditures. So it is true that the Mayor's Department staff did increase but at the same time this mayor decreased other departments; it was a net wash so we are not just building up departments and hiring more people into buying more cars and I think the perception out there -- that's what the perception is out there, I want to make that clear. If anything, over the last four years this city has been so streamlined because of the financial conditions we all face so I want to make that clear.

Ms. Miskovich:

To clarify one point that you had raised, the debt service that we pay is not just on prior vehicle purchases. You had seemed to suggest that we were paying money on vehicles that we

had purchased several years ago so we're paying for old vehicles. That the debt service also covers the new vehicles purchased as well.

The Chair:

The \$6 million is cash that will be coming out of our coffers in 1994 not to buy one car, it's to pay for previous cars purchased.

Ms. Miskovich:

No.

The Chair:

That's what I was told at budget time, that this was debt service.

Ms. Miskovich:

That is debt service. How much money of the bond is sitting around to buy new vehicles?

Ms. Miskovich:

I believe approximately \$1.4 million unencumbered.

The Chair:

And that's in the Equipment Leasing Authority; correct?

Ms. Miskovich:

That's correct.

The Chair:

And you do sit on that board; correct?

Ms. Miskovich:

I chair the board.

The Chair:

In closing, I think this legislation is heading in the right direction but I'm willing to have you discuss the 22 cars that are in question and just the policy in general to get back to us on all 98 basically providing us with a written justification of those vehicles.

Ms. Miskovich:

Are you only giving me one week?

The Chair:

I was talking about a week or two regarding those 22 but I have no problem working through the budget season on all 98 and just the issue in general on the cars and the policy that should be in place. I'm not ready at this point just to remove 22 and sell them. However, this is Councilman Cohen's bill now and I'm going to turn it over to him. I'm sorry, Councilman Smith.

Mr. Smith:

I want to thank you Director for responding to my initial request with such detailed information. I think it's very important that this information as you have pointed out is public information. We all share in protecting the expenditure of taxpayer's dollars. I had never expected this single request to spark such a debate. What I want to quickly say is that even though I believe there are a couple of flaws in this bill that is before us, I am supportive because I believe that what it is doing is creating a policy and a direction that would be beyond your scope in the future if you should move on to become the mayor or whatever that it would set a mandate for whoever holds your position in the future. So I will be supportive of it but I really want to say thank you because I had a problem earlier in receiving the information that I had requested. Yours was timely, it was concise and it answered all of my questions. So I appreciate your effort and your staff's effort in pulling this together in the time frame that I had asked for.

Ms. Miskovich:

Thank you.

Mr. Cohen:

I also want to thank Director Miskovich for coming here and speaking to us candidly. You and I talked before I even introduced this legislation. I have had a number of discussions since but we have a difference in policy that's all.

I also want to thank my colleagues for their positive remarks about this bill. I hope they translate into votes but even if they don't I do want to clarify a couple of things that you said. I am not questioning 22 cars here, I want to make it clear. I am saying those 22 cars should be eliminated but I am questioning 64 cars, meaning all those cars that are not public safety vehicles and the questioning process that's laid out in this legislation is for the Director of General Services to

provide us written justification for those cars, so I want to clarify that point.

On the aspect about whether this is additional compensation, a perk or whatever you want to call it, I disagree with that too. These vehicles that are proposed to be eliminated are for people who have salaries and I didn't want to get into this but who have salaries between \$65,000.00 and \$73,000.00 a year, I think that is a lot of money.

As far as the reimbursement is concerned whether or not it's cheaper or more expensive than purchasing the cars, I want to make a point there and that is we reimburse now in the sense that we paid for -- we don't just purchase these cars, we pay for the gas, we pay for the insurance -- the City does so obviously it's going to be a lot cheaper not to purchase the vehicle because we're going to be reimbursed either way and we will save a lot of money by getting rid of these vehicles.

I don't think this legislation handcuffs the Director. I think it works very cooperatively with the Director. The only thing it does handcuff and we should make this very clear, it does handcuff the City's ability to keep cars for a certain group of administrators who do not need them and that is what I strongly believe and I know that I disagree with some of my colleagues on that.

The elimination of those cars will save over \$300,000.00. The actual number is \$360,800.00. The three percent salary cut for all non-union employees will save \$300,000.00. This will save more and as far as I am concerned, I do think it's a reasonable policy to get rid of cars before we actually take people's salary.

On the question of whether we have the legal ability to do this, I very much respect the Director of General Services and the fact that she's an attorney but Counselor, you mentioned a number of ordinances. I go to the Home Rule Charter. The Home Rule Charter is the City's constitution and it overrules every ordinance that the City has and in Section 510 of the Home Rule Charter makes it very clear. "Every contract relating to city affairs shall be authorized by resolution of Council." As far as I'm concerned that overrides every ordinance and this is a contract. We enter into a contract with the Equipment Leasing Authority to buy these cars.

I know that a number of colleagues have suggested eliminating Section One of this bill and I respect their opinion but I disagree with them and the reason is that I think that would gut the bill and it would reduce the bill to paperwork and would not save a dime of taxpayer's money and for that reason, although this bill itself is a compromise, I originally wanted to eliminate all the cars; this is a compromise and ask for

written justification but I can't in good conscience do that. My bottom line is that these cars should be eliminated, they aren't necessary. I do think that given the City's financial condition that it's not a proper use of taxpayer's money. They aren't provided for in the private sector and they certainly shouldn't be provided for the taxpayer's sector. Instead we should be reimbursing them and we should save them money so for that reason I would like to put this bill to a vote.

The Chair:

Roll Call vote please.

Mr. Hertzberg:

Mr. Chairman, I would like to make a motion to amend the bill at this time.

The Chair:

Councilman Cohen, are you going to accept any friendly amendments? I know we can still have the amendment and seconded on the floor without your support.

Mr. Cohen:

With all due respect I have to keep the position that I have feel strongly about and that is this was supposed to be a bill to eliminate unnecessary cars. Taking away that section would reduce the bill to paperwork and would gut it so I can't in good conscience do that.

Mr. Hertzberg:

I think to leave Paragraph One in may be economically worse for taxpayers. If we re going to confiscate and sell vehicles including maybe 1993 vehicles, 1992 vehicles, 1994's even and some of these positions you may be 100 percent correct Mr. Cohen and we may be able to do a lot of good for the taxpayers but in some the harm may be worse and for that reason I'm going to make a motion to amend this bill as follows and I'll provide the Clerk with a copy of this. We would delete under Sub-paragraph A, Subsection 1 -- "Sale" and under Sub-paragraph A, Subsection 2 where we have already amended to delete "uniformed", in that same line delete the words included in Sub-paragraph 1 above and in place of that put in there "Assigned to the Mayor and the Directors of the Departments of Public Safety, Public Works, Water and General Services" and then in under Sub-paragraph A Section 3, the final line of that we would delete the words, "Shall be sold according to the terms described in Paragraph 1." And in front of the beginning of that sentence which begins all we would insert "The Director of General Services shall direct the Equipment Leasing Authority to sell." Then we would move

down to Sub-paragraph B Automobiles and there's a reference to Paragraph 1 which we would have to delete.

The Chair:

Councilman Hertzberg, if I could make a suggestion. I'm afraid that people maybe asking you to repeat it again and what we could do is have it in writing by Tuesday.

Mr. Hertzberg:

Let me finish real briefly and any other place where numbering would have to be changed to conform with this. What the result is that in 30 days the various items marked "A through K", types of justifications would have to be provided for all these 98 vehicles, again subject to the exceptions of the Mayor, Directors of Department of Public Safety, Public Works, Water and General Services. That would be the result that we're seeking here and in the event that Council disapproves this 24-hour use then the Director of General Services shall direct the sale of the vehicles.

The Chair:

Is there a second on the amendment? There is a motion for an amendment, is there a second on the amendment that was read?

Mr. Cusick:

Second for discussion. I don't think that we should be amending this bill because of the hard work that Mr. Cohen put into it. Mr. Cohen did not accept the amendments and I believe that we either vote it up or down and Mr. Hertzberg, you can re-write the bill if you choose. But the sponsor of the bill has said that he does not want to amend it and I think we should respect that.

Mr. Ricciardi:

For the record I'd like to thank Mr. Hertzberg for trying to get this off center. I do agree with the amendment, however I know how difficult it is to draft legislation and all the time and effort that goes into it and at this point I would feel uncomfortable amending someone's bill. Let me say though I agree with the amendment and even if the bill fails I believe the Administration is going through all this work and from what Director Miskovich has stated here so even if the bill fails I'm not saying that we're not doing anything. Mayor Murphy and others and Director Miskovich is going through the exercise and I don't want to put Mr. Hertzberg on the spot because when he spoke about the amendment I initially said I agree with the amendment but I was hoping it was going to be proposed by the sponsor but I can't support it for that reason.

Mr. Cohen:

I will be very brief. I want to thank Councilman Hertzberg for putting it forward. I worked very well with you and I know I'll continue to do that. Mr. Chair, I think that the amendment in my judgment would gut the bill and for that reason I can't support it. I don't know what the harm is that Councilman Hertzberg said in eliminating these cars. There is no harm. I don't know of an emergency meeting that the Director of Personnel would have to go late at night to be able to need a car. All we need to do is reimburse that person for a use of their own car. Everybody else in the world does it and I think we should be doing it too but I would appreciate it if my colleagues would not support the amendment.

Mr. Hertzberg:

I offered the amendment in the interest of trying to get things done. That's been my Number One goal here as a member of City Council to try to get done what I think is best for the City of Pittsburgh and I did not consider whether the ramification on Mr. Cohen for being the sponsor of this bill but if that be the will of Council I withdraw my motion to amend.

Mr. Cusick:

I withdraw my second.

The Chair:

The bill as it stands in front of us. ..

Roll Call vote please.

ROLL CALL

(NEGATIVE RECOMMENDATION)

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVIII

June 14, 1994

No. 24

Municipal Record

ONE-HUNDRED TWENTY-EIGHTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
KURT J. SALAC.....Asst. City Clerk

Pittsburgh, PA
Tuesday, June 14, 1994

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo
	(Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer.

We do a Pledge of Allegiance every week, as the public is aware, and today is Flag Day, and we are very honored we have a special guest, a young student, Leah Tecza, her mom is here, Stephanie, and our School Principal from McCleary Elementary School in Lawrenceville is here, Mary Ellen McBride. And, Leah will lead us in the Pledge of Allegiance.

Leah Tecza:

I pledge allegiance to the flag of the United States of America and to the Republic for which it

stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you all. And, good morning to the Veterans I see out there in the audience, a lot of familiar faces from the North Side.

Thank you, Leah, very much. We have a little flag set for you representing the American Flag and our own City Flag.

PRESENTATIONS

The Chair:

We have a number of honored guests in the audience this morning, and at this time I would like to call on Councilman Bob O'Connor.

Mr. O'Connor:

Thank you, Mr. President. Jim O'Brien, would you please come up.

Jerry, you should know this guy, he's a Hazelwood boy, who has done a lot of great things, and I think -- I know he is known for his books, and we are going to talk about those, but I think if you listen to the proclamation, some of the things Jim is involved with and how he handles those books and all the Pittsburgh roots and the Pittsburgh publications.

MR. O'CONNOR PRESENTS

No. 674 WHEREAS, Jim O'Brien is a Pittsburgh native who has taken his brilliant career from being a daily sportswriter, to writing a series of six books that show Pittsburgh offers the best of athletes in all arenas; and,

WHEREAS, the Pittsburgh Proud series of well-researched books have highlighted the great

sports moments and personalities of Pittsburgh, including Mazeroski and the 1960's Bucs, the University of Pittsburgh's sports history, and the Pittsburgh Steelers; and,

WHEREAS, the most recent addition to the series, Remember Roberto, offers reflections, interviews and previously-unpublished photos of the Pirates' Hall of Fame outfielder Roberto Clemente, winner of the World Series MVP Award in 1971 and four National League batting crowns, twelve time All Star Game selection and the National League's MVP in 1966, and hero to millions here and abroad; and,

WHEREAS, O'Brien's commitment to promoting Pittsburgh through these books, his efforts to raise funds for the Art Rooney Scholarship Fund, tutorial efforts in the City, the Roberto Clemente Statue Fund, and the Clemente Foundation, and his commitment to using only Pittsburgh type-setters and printers to produce his books, have benefited the people of Pittsburgh immeasurably.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Jim O'Brien for his outstanding research and writing, as well as his efforts to produce an "all Pittsburgh product," and declares June 1994, to be "Jim O'Brien Month" in the City of Pittsburgh.

MR. O'CONNOR moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Well, we certainly like the Pittsburgh product part, and I just looked through the books, and I do not know where he gets all the pictures, but why don't you tell us some of them. I have been in Pittsburgh all my life and a sports fan and I do not think I saw half of them, Jim. So, please give us some information on them.

Mr. O'Brien:

Thank you very much, Councilman O'Connor, I am very honored to be recognized today in City Council Chambers. This is the second time I have been so acknowledged, once before

by Councilman Regan, when I did books on the Pittsburgh Steelers, he being, of course, the unofficial Mayor of the North Side, he was particularly interested in books about the Pittsburgh Steelers.

To have Councilman O'Connor bring me to the forum today is particularly significant because it is not often that a guy from Greenfield boosts a guy from Hazelwood for anything. So, it is nice to have him do this, but he has always been a fan.

Yes, I am a Pittsburgher, I am very proud to have these products. They were done by Ed Lutz at Cold Comp right on Penn Avenue and by Geyer Printing on Bigelow Boulevard in Oakland. These books are first class products, they are done as well as anything that has been done in Chicago or New York. I think it is a wonderful tribute to a man, Roberto Clemente, who graced this City with his presence for 18 seasons, and now his sons are here to carry on with the Roberto Clemente Foundation. They want to get the kids of Pittsburgh out of gangs, out of mischief, into productive activity. They want to help them learn, not just how to play baseball but how to be perhaps the kind of man their father was.

Roberto Clemente, he represented this City well, it is my obligation as a writer and publisher, and this is my sixth book, "Remember Roberto" about Pittsburgh. There is a campaign going on right now called "Look at us Now" endorsed by Mayor Tom Murphy, and I am privileged to have been invited by Major League Baseball to participate in the Fan Fest and to offer lectures at the Diamond Theatre, at the David L. Lawrence Convention Center and all those names I am mentioning are all Pittsburgh.

I plan to be writing these books until I am 70 and I hope I get an opportunity to come back to City Council with more books that promote Pittsburgh and call attention world wide.

It was a major breakthrough with the Clemente book. This book is being circulated all across the nation. I saw orders in Honolulu, Hawaii, because these books are not just about sports, they are about the streets of Pittsburgh, they are about special people, like Dick Caliguiri, who I had the pleasure of knowing. This book has an imprimatur, so to speak, from Tom Murphy. And, hopefully

you will help spread the gospel of Pittsburgh as I have.

Thank you so much for honoring me here today, and Councilman O'Connor, thank you so much.

The Chair:

Thank you, Mr. O'Brien. Mr. O'Brien, many of us have heard you on the radio talk shows, you have done a great job, not only capturing Pittsburgh's history, but when you talk, I know you talk not only about sports but about the history of our City, and you are a great promoter, you are probably one of our best goodwill ambassadors promoting this City, and we just want to congratulate you very much.

Mr. O'Brien:

Thank you. When I leave here I am going to Lawrenceville and my mother lives in the San Augustine Apartments and when she sees a certificate with your name on it she'll know that I've done well.

The Chair:

Very good. All right, Mr. O'Brien. Thank you very much.

At this time I would like to call on Councilman Dan Onorato.

Mr. Onorato:

At this time I would like to call forward Ed Evans, if you could come up here, Russ Wagner, Pius Raw, John Fredley and Bill Yost. And, as they are coming forward, Mr. President and colleagues, this is Flag Day and I am proud to represent the area that has been honoring Flag Day with a parade for many years, and I understand Pennsylvania is the only state that has the official Flag Day celebration. And, my colleagues, if you would look, you have the Flag Brochure on all of your desks, if not, we have some more here.

At this time I will read the proclamation and we will get to the speakers.

MR. ONORATO PRESENTS

No. 675 WHEREAS, on June 14, 1777, John Adams introduced through Congress a resolution stating that the flag of the United States shall be thirteen stripes, red and white, alternating, with a union of thirteen white stars on a blue field; and

WHEREAS, Flag Day was first observed in 1877 on its 100th anniversary and is only a legal holiday in Pennsylvania. It has since been known as "A time to honor America"; and

WHEREAS, on Tuesday, June 14, 1994, The North Side Veterans Council will commemorate its Fifty-Eighth Annual Flag Day Celebration, marking the 217th anniversary of the adoption of the flag; and

WHEREAS, the North Side Veterans Council, which was organized in 1937, and The American Flag Day Society of Pennsylvania, Inc. will honor the flag of our country with a parade and patriotic rally at Sue Murray Playground in the North Side of Pittsburgh; and

WHEREAS, the parade which honors the flag of our country through patriotism, respect, and homage is the only flag day ceremony held throughout the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and joins the North Side Veterans Council in honoring their fifty-eighth annual Flag Day celebration.

MR. ONORATO moved to adopt the resolution.

MR. SMITH seconded the motion.

Which motion prevailed.

Mr. Onorato:

Mr. Evans, before I bring you up here, I am going to invite my colleagues to show up tonight if they can make it. It starts at 6 o'clock, correct?

Mr. Evans:

We assemble at 6, we march at 7.

Mr. Onorato:

And the parade starts at 7. And we go through the streets of the North Side, and up at the park there's some music and some speeches, and I think there's even hot dogs across the street after the parade. But, I would like to invite everyone here. And, I think this year, even though it's the 58th, it's not the 60th or the 55th, it is significant because it does mark the 50th anniversary of the invasion of Normandy, and once again, when we honor the flag we are honoring the country and everything it stands for. And, I think it is another day to remember all the men and women that died for what we believe in and the opportunities that we have today.

At this time I would like to have Mr. Evans come forward and say a little bit about the organization.

Mr. Evans:

I want to thank the City for the aid and the help they gave us to continue putting this parade on, and you are all invited to march with us, the flag belongs to all of us, regardless whether you served under it or -- as long as you live here.

These brochures, the Flag Code is broke so many times, that there's no teeth in the Flag Code, the best we can do is call somebody, they got a raggedy flag, to take it down, or when they fly it at the proper time. You read it.

We have gave out the Marine and the Army manuals but we can't get them no more because they are limited to 25 to each Congressman. But, this, I was looking through my file and I found out the Assembly of Pennsylvania, so I ordered 500 of them to be passed out tonight. So, we brought them over here. That's the Flag Code.

I got some people with me that helps make this go. Don't you believe that I make it go myself, I got help. Let's see. Russ Wagner, from 81 Post of the American Legion; Pius Raw, 258, the Veterans of Foreign Wars; Johnny Fredley from Military Order of the Cootes, and Yost, he's from the Mexican Army. There has to be one. And, we want to again thank you people, we hope to see you tonight at the ceremony.

The Chair:

Commander.

Cmdr. Wagner:

Thank you very much. I also would like to thank the City for their aid in the Flag Day Parade. I have been the Chairman of the Flag Day Parade for quite a few years and I have seen quite a few of the Councilmen, the Allegheny Chairman over there at the parade and on the stage, the Mayor was over there for the last two years, and we try our best to do what we have to for the flag of our country because we all fought for that flag of our country and it means a lot to all the Veterans and the Veterans' families of the ones who never came back from these wars.

Now, why I am here in front of City Council, I have one thing I wanted to bring up and I didn't have the opportunity yet. I would like to show the people the medal that the City of Pittsburgh presented to us D-Day Veterans at the 50th anniversary of D-Day, on June the 6th down here at Point State Park. The City of Pittsburgh and the County of Allegheny gave us, each Veteran who returned and signed for D-Day, this medal, which I will always cherish and keep and thank the City Council and the City of Pittsburgh very much. Thank you.

The Chair:

Thank you, sir. Thank you all very, very much. Your hard work is appreciated. Thank you.

Councilman Christopher Smith, I know you have a number of guests in the audience.

MR. SMITH PRESENTS

No. 676 WHEREAS, on Thursday, June 16, 1994 the DAY OF THE AFRICAN CHILD Celebration will be held at the Martin Luther King Reading Center on Milwaukee and Herron Avenue in the Hill District of Pittsburgh, Pennsylvania; and

WHEREAS, the commemoration of this day is as of the result of struggle for freedom and the slaughter of African children who were massacred at Seweto, South Africa in 1976; and

WHEREAS, in collaboration with UNICEF of the United Nations, and the Organization of African Unity, DAY OF THE AFRICAN CHILD has evolved to a celebration and commemoration of African children throughout the world; and

WHEREAS, in 1993, activities took place on every continent and in over 40 African countries. In the United States, President Bill Clinton, along with 67 Mayors and seven Governors, signed official proclamations establishing June 16, 1994 as DAY OF THE AFRICAN CHILD; and

WHEREAS, Valerie Lawrence, Coordinator for DAY OF THE AFRICAN CHILD, on behalf of Kuntu Writers Workshop, The Urban Peace Committee, NAACP, Monumental Baptist Church, Friends of Martin Luther King, Jr., Reading Center, Schenley Heights Association, seeks to raise the consciousness level of our community of the significance and importance of the celebration of DAY OF THE AFRICAN CHILD.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh joins this collaborative effort and takes pride in offering our collective voices, our strength, and our resources in support of African children here in Pittsburgh, and African children around the world, and declares Thursday, June 16, 1994 as DAY OF THE AFRICAN CHILD in the City of Pittsburgh.

MR. SMITH moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Smith:

Thank you. I just want to tell you that it is extremely important that we raise the consciousness level of all of our citizens to the plight of our children. A society is measured only by how it treats its Senior Citizens and its children, and we must raise the consciousness of everyone to the plight of our children.

Congratulations. Please.

Ms. Lawrence:

Thank you and good morning to everyone. To the City, to the Council and to all the citizens that

are here, I would like to invite you on behalf of all the organizations that I represent to attend the day of the African Child Celebration and Commemoration on this Thursday.

As has been said what we do for our children reflects how we think about our community and how we think about ourselves and our future. The future of our children rests not solely with the Africans in this community but with all the citizens of Pittsburgh. So, we beseech you to come out and join us as we stand up and support our children. Thank you.

The Chair:

Thank you.

Mr. Smith:

Will Thompkins, Bernard Jones, and I am going to kill this, Karris Williams, from the Urban Youth Action Program. Welcome.

MR. SMITH PRESENTS

No. 677 WHEREAS, Urban Youth Action was founded by Mr. Bernard H. Jones, Sr., and was incorporated on February 6, 1969. On Wednesday, June 15, 1994 UYA will celebrate 28 years of service to the Pittsburgh and Allegheny County communities; and

WHEREAS, Urban Youth Action's mission statement gives positive affirmation for the existence and purpose of this dynamic agency and also says a resounding "Yes!" to youth who dare to dream, study, and work to realize their fullest potential. Their Goals are:

"To encourage young people to prepare themselves for, and to take advantage of, the opportunities available in education, employment, business, economics and government.

"To develop a community of adults and young people who share many values, goals and responsibilities, dedicated to the development of the whole person into a confident, courageous, self-disciplined, and responsible person"; and

WHEREAS, Urban Youth Action fosters the belief that youth and adults can work together to achieve common goals, and the 28th Anniversary of Urban Youth Action will feature youth taking the lead in a festive banquet fund-raiser to be held at the University of Pittsburgh's William Pitt Union Main Ballroom and Kurtzman Room on Wednesday, June 15, 1994 with a reception at 6:00 p.m. and dinner at 6:45 p.m.; and

WHEREAS, the banquet will be co-chaired by Attorney and Mrs. Joseph K. Williams, III. UYA students will conduct a program with the theme, "We are the World, We are the Children." Entertainment will be provided by Walt Maddox and Kids Against Drugs; and WHEREAS, the Pittsburgh and Allegheny County Communities commend the creative insight of Mr. Bernard Jones, who perceived the need for Urban Youth Action. This youth-centered agency gives the total community pride, and its actions keep hope alive in the hearts and minds of youth and adults. The world will be a better place and the future is bright, for Urban Youth Action has planted too many diamonds with youth in our community for the world to be otherwise.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Pittsburgh salutes all youth, and gives rave reviews to Urban Youth Action for 28 years and continuous service to Pittsburgh and Allegheny County, and declares Wednesday, June 15, 1994 as URBAN YOUTH ACTION DAY in the City of Pittsburgh.

MR. SMITH moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Smith:

Will, congratulations.

Mr. Thompkins:

Thank you very much.

Mr. Smith:

Please, say a few words.

Mr. Thompkins:

You know, as Chris said, to say a few words because he knows I can take quite a bit of time up here.

To President Ferlo, Christopher Smith and other members of Council and honored guests, I thank you for this here resolution, for the support that you have provided over the years. As Ms. Lawrence indicated, two of our most precious assets are our Senior Citizens and our youth.

Recently a regional asset district was created, the same type of focus that needs to take place for our young people. Urban Youth Action has been doing that for over 28 years, we expect it to exist well into the next century.

Thank you for your continued support and we will be in contact with you.

The Chair:

Thank you, Will. Good morning.

Ms. Williams:

Good morning. On behalf of all the students of Urban Youth Action, I would like to thank you for your dedication and commitment to young people because even though it may not seem, there are a lot of young people who desire to do right and do positive things, and sometimes it is just good to know that there are people out there that care. Thank you.

Mr. Jones:

I am the old man of the group. Twenty-eight years ago when I founded Urban Youth Action, someone said to me, this program will just be needed for a year or two. I knew then that this program would be needed for our childrens' childrens' childrens' children. I want to thank the members of Council and you, Councilman Smith, for recognizing this program, and I want to ask you to help us to keep this program alive. This program is too young, 28 years old, this program is too young to die.

I wish that Council was really members of the United Way because if you notice in the paper yesterday we were cut \$7,000.00. We don't care, we are determined to build Urban Youth Action.

I was told the other day by some young people that it's war out there, and we have been in the mist of that battle for 28 years and I promise you we will be in the mist of that battle for 28 more years. Thank you very much.

The Chair:

Thank you, Mr. Jones. Thank you all and congratulations.

MR. SMITH PRESENTS

No. 678 WHEREAS, for more than 40 years, Reverend & Mrs. Charles Upshur, Administrator and Director of the Greater Love Outreach and Pastors of the Miracle Deliverance Church of God In Christ, have been reaching out and serving those in need; and

WHEREAS, their ministry is located on Fifth Avenue in the Uptown community of the City of Pittsburgh. Greater Love Outreach offers many services to the community, including a food pantry, shelter, a resources and referral department, drama workshops, a substance abuse program, and decentralized youth programs in the Hill District, North Side and St. Clair Village; and

WHEREAS, the Greater Love Outreach Ministry sponsors special programs as an organization, and also networks with other agencies in the community to achieve similar goals. The organization sponsors an annual Thanksgiving Dinner at the Fifth Avenue location in which more than 200 persons attended in 1993. Volunteers actively recruit persons to attend the Salvation Army's Annual Christmas Dinner, held at the major hotels in downtown Pittsburgh; and

WHEREAS, through hard work, dedication, commitment, and the joy of helping others in need, the Upshurs continue to be partners in many of the "Miracles on Fifth Avenue". Both have taken the tenets of their faith literally as they have fed the hungry, clothed the poor, and continue to join with others in the community who do the same; and

WHEREAS, on June 25, 1994, at 6:00 P.M., an Appreciation Dinner will be held at the Vista Hotel to honor Pastor Marie Upshur and Pastor Charles Upshur for extending a helping hand to families

and individuals in need throughout the neighborhoods and communities of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh gives praise to Reverend and Mrs. Charles Upshur for providing humanitarian services to hundreds of citizens in the City of Pittsburgh, and declares Saturday, June 25, 1994 as CHARLES and MARIE UPSHUR DAY in the City of Pittsburgh.

MR. SMITH moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

At this time we will move into Presentation of Papers.

MR. COHEN PRESENTED

No. 679 Resolution amending Resolution No. 352, approved May 19, 1994, entitled, "Resolution providing for an Agreement or Agreements with organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh," by increasing the amount allocated to the Mel Blount Youth Home by \$2,000.00 from \$10,000.00 to \$12,000.00.---(SPONSORED BY MR. COHEN)

Which was read and referred to the Committee on Public Safety.

MR. ONORATO PRESENTED

No. 680 Resolution providing for the transfer in the amount of Eighty-One Thousand Two Hundred and Fifty Dollars (\$81,250.00) from Code Account 45, Index Code 004507, Health Insurance, to Code Account 53, Index Code 005306, Debt Service Auditorium Authority of Pittsburgh and Allegheny County. (The purpose of this transfer is to pay the City of Pittsburgh share of the Auditorium Authority Debt Service on the 1978 Series C issue).

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bill only until or

after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 681 Resolution approving borrowing of the Urban Redevelopment Authority of Pittsburgh for the purpose of providing funds for the Business Reinvestment Fund; authorizing incurring of lease rental debt in the amount of \$_____ ; stating that debt to be incurred is lease rental debt.

Also,

No. 682 Resolution providing for the transfer in the amount of One Million Sixty-Nine Thousand Seven Hundred Seventy-Two Dollars (\$1,069,772.00) from Code Account 45, Index Code 004507, Health Insurance, to Code Account 53, Index Code 005306, Debt Service Auditorium of Pittsburgh and Allegheny County.

Also,

No. 683 Resolution providing for an Agreement or Agreements with Consultant or Consultants to provide programming and technical support for the computerized crime mapping and crime analysis system for the Bureau of Information Systems, Department of the Mayor, at a cost not to exceed Sixty-Five Thousand Dollars (\$65,000.00) payable from Code Account 1043, Index Code 104307, Miscellaneous Services, and for payment of the costs thereof.

Also,

No. 684 Resolution providing for professional services agreements or agreements for the provisions of training City employees in the use of personal computers and personal computer software packages at a cost not to exceed Thirty-Five Thousand Dollars (\$35,000.00), payable from Code Account 1043, Index Code 104307, Miscellaneous Services and for the payment of the costs thereof.

Also,

No. 685 Resolution providing for an agreement or agreements with Al Murphy, facilitator, for management, consultant services for the City of Pittsburgh at an aggregate cost not to exceed Two Thousand Five Hundred Dollars (\$2,500.00), chargeable to and payable from Code Account 1063 (106302) Miscellaneous Services, Department of Finance.

Also,

No. 686 Resolution amending Resolution No. 951, effective August 16, 1993, entitled "PROVIDING for a lease with M. Berger Land Company for an initial term of five (5) years at an annual rental of \$7,300.00, solely for the purpose of parking vehicles, the former site of the City's River Rescue operations, located on the Monongahela River between South 4th and South 6th Streets, 17th Ward. The south side of the property abuts the CSX Railroad Tracks.

Which were severally read and referred to the Committee on Finance.

MR. SMITH PRESENTED

No. 687 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by eliminating the community parking area use and the major parking area use in the "C5" Golden Triangle District, by further regulating expansion of existing community parking areas and existing major parking areas in the "C5" Golden Triangle District and by specifically stating that a Project Development Plan must be approved by the Planning Commission prior to demolition of any building in the "C5" Golden Triangle District.--- (SPONSORED BY MR. SMITH & MR. FERLO)

Which was read and referred to the Committee on Planning, Housing & Development.

MR. SMITH moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

THE CHAIR PRESENTED

No. 688 An Ordinance amending the Pittsburgh Code, Title Six, Conduct, Chapter 616, Damaging, Defacing and interfering with Property, Section 616.01, Prohibited Conduct, to specifically protect parks and park fixtures from damage or defacement.---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 689 Resolution authorizing and directing the Controller to transfer \$10,000.00 into the Department of Parks and Recreation's Miscellaneous Service Account.---(SPONSORED BY MR. FERLO)

Also,

No. 690 Resolution authorizing and directing the Controller to encumber the funds in Code Account 1801 B-5 for the purpose of engaging the services of a private security firm.---(SPONSORED BY MR. FERLO)

Which were severally read and referred to the Committee on Finance.

Also,

No. 691 Resolution authorizing and directing the Director, Department of Parks and Recreation, to hire a private security firm to protect parks and playgrounds from vandalism.---(SPONSORED BY MR. FERLO).

Which was read and referred to the Committee on Parks and Recreation.

UNFINISHED BUSINESS

The Chair:

Councilman Smith.

Mr. Smith:

Yes, sir. Under Unfinished Business.

The Chair:

Would you like to just sit from your desk, this is probably going to be a lot of discussion?

Mr. Smith:

No problem.

First I would like to motion to substitute Bill 421 with the copies that were dispersed to my colleagues.

The Chair:

Motion to move by a substitution is in order.

MR. ONORATO seconded the motion.

The Chair:

All in favor?

WHICH MOTION PREVAILED.

Mr. Smith:

Thank you.

Briefly, and I know that does not occur often with me. What you have before you is a re-written piece of legislation; we must at times make tough decisions for tough policy that affects the future generations. It is sometimes the good of the many -- well, it should always be -- that the good of the many is outweighed by the desires of the few, and I think we need to take our time to pay close attention to decisions that will affect the next hundred years of this City and this region. I would ask my colleagues for support in this resolution, it has addressed many of their issues that they initially had problems with, and I hope and trust that we can get this on the board so that there will be an opportunity to be an integral part of the future of this region.

The Chair:

There is a motion on the floor, further discussion?

Councilman Hertzberg.

Mr. Hertzberg:

Thank you, Mr. President.

I appreciate the way this resolution has been amended, particularly the provisions that were previously in this resolution that dealt with the concept that if you build more roads in and out of Pittsburgh, it gives people more of an incentive to move out of the City, which was a concept that I did not support at all. But, that was what first brought this in here and that was the main concept, and I think this thing is a -- it is almost a slippery kind of resolution, I mean it -- certainly in the end result we're trying to say the same thing, we're just trying to shift how we are getting there now, and I don't support this resolution.

The provisions in here about the division into three separate segments for this particular roadway, I think they were explained in a satisfactory manner by the people from the Turnpike Commission, that this is the normal procedure right now. We were also told that this will not preclude other regional transportation projects. I think City residents will be involved in the planning of this road. I don't think the end result is going to be more congestion, I think the end result is going to be less congestion.

And, I was very much influenced at the public hearing by the people from the Mon Valley who favored the immediate approval and construction of the next phase of this project. Thank you.

The Chair:

Thank you very much, Mr. Hertzberg.

Actually the motion was made to move by substitution. We actually need a motion to approve the amended bill. Motion to approve.

Mr. Smith:

So moved.

The Chair:

Is there a second?

I'll second it for purposes of discussion and a vote.

WHICH MOTION PREVAILED.

The Chair:

Other discussion? Councilman.

Mr. Ricciardi:

Thank you, Mr. President.

Obviously I appreciate Mr. Smith's hard work on this bill, then also bringing so many issues to light; however, I will be opposing the resolution today.

If you look back on the history of the Mon-Fayette Expressway, you will see that many public hearings have occurred before each segment has taken effect, and obviously a project of this magnitude, I believe needs to be done in segments and eventually discussed by the City of Pittsburgh, where then we could raise the concerns that Mr. Smith has raised.

I have a goal and my goal in mind is to remove the truck traffic from Carson Street; I have a goal and the goal in mind is to relieve some of the congestion in the Oakland District that I represent, and before those can be properly addressed, we have to get on with the next segment, Segment 3. And, also we have to look at a regional aspect. I have been critical in the past of the county and some of the municipalities and suburbs, who do not recognize us as neighbors and work with us to -- for our benefit, however, this is a time that I think they are stepping up and saying that they appreciate if we in no way criticize the present project and how it is going to help them. And, also we have to recognize that many state officials stood up when we needed the regional asset district and stood up and gave us that vote. I feel very uncomfortable in setting any type of obstacles in their way.

That said, though, I think, again, Mr. Smith raises some very important issues and issues that we will have to address in the near future before the expressway enters the City of Pittsburgh proper. Thank you.

The Chair:

Councilman Cohen.

Mr. Cohen:

Thank you, Mr. President.

First of all let me just reiterate that this is a non-binding resolution, that City Council has no legal authority over this issue, but at the same time it is a very difficult issue, and the reason is that -- good arguments, I believe, have been made on both sides, and I want to commend Councilman Smith for raising this, and I agree with him about many of the aspects of his resolution.

I do agree, of course, that we have to have rational planning of the portion of this highway project from Route 51 to the City of Pittsburgh, and we have to ensure that segment of the highway does not disrupt any of our City neighborhoods, whether it be the Oakland neighborhood or the Nine Mile Run area in Squirrel Hill or any neighborhood. So, we have to address the impact of the project on the entire City and have a strong measure of control over that impact. The entire highway, but especially the portion into Pittsburgh, obviously, because we are the Pittsburgh City Council, but also that is the most populous section of the highway, also has to be environmentally sound.

And, I also support the aspect, which I think was taken out in the last version, but the aspect that supports the spine line and MAGLEV. The spine line, of course, which would relieve a great deal of congestion, particularly in Oakland, and hopefully would go from the North Side through Downtown, all the way through Oakland. But, also MAGLEV, which we have discussed in this Council Chambers many times. MAGLEV, I think is so important to the Pittsburgh area, not only for a pilot project between the City of Pittsburgh and the airport, but more importantly we can have Pittsburgh be the construction point for MAGLEV, for us actually to bring manufacturing back into the City and have Pittsburgh be the location where we construct MAGLEV trains for the entire country and for the entire world.

But, my understanding, as Councilman Ricciardi mentioned, my understanding is that supporting or having the Mon Valley Expressway, the Mon-Fayette Expressway, does not preclude other federal projects, we have to aggressively work for all of them.

That having been said, those are the aspects of the resolution that I support, but I do believe that the resolution sends the wrong message at this time and I think that the message is inconsistent with two very important principles. One is that we act together as a region, and Western Pennsylvania is a region that has to work together and to be able to improve our conditions. Somebody once said that a rising tide lifts all boats, and I think that is true of Western Pennsylvania. The other is that economic development really has to be our number one priority. Since 1980, the Pittsburgh area has lost more jobs, more per capita income and more population than any of the other top 25 areas in the United States of America and for that reason we have got to bring jobs back, we have got to bring investment back, particularly good, solid jobs that can spin off many jobs in the service sector and that this project, I think, will mean many jobs.

But, there is, as Councilman Ricciardi said, a public process for each segment of the project and that will include several public hearings. I think we all have to work zealously, including testifying and lobbying to make sure that the project does not disrupt our neighborhoods, but I would like to do that within the public process that is set out. So, I do not consider this the end, I consider this the beginning, the beginning of this City Council working hard to make sure that the impact on the City of Pittsburgh is minimal and that it does not disrupt our neighborhoods, but at the same time I do not think we should be disrupting the process. Thank you.

The Chair:

Thank you, Councilman Cohen. Others?

Councilman O'Connor.

Mr. O'Connor:

I just wanted to agree with Mr. Cohen, I think he eloquently stated almost all our concerns. I won't be supporting the resolution but I will -- I do commend Mr. Smith for bringing up a major issue, especially facing my end of the City, the whole East End. I think, outside of maybe jobs and crime, the number one issue there is traffic. Between Oakland and Monroeville, we're kind of caught in the middle. We cannot wait, even no matter if this is planned and perfect to everyone's satisfaction, neighborhood, residential, we -- I

am not going to sit by and wait five or seven years for something to come and help us -- although I think this, if it's done correctly, will, as Mr. Cohen stated -- economically.

But, I will be calling for a post agenda. As far as our traffic planners and PennDot, we have to do a lot of major things in the East End because our quality of life there, the traffic is -- it is just terrible. From 3 o'clock on it is just a bumper to bumper, all through Squirrel Hill, Hazelwood, Greenfield.

So, I thank him, I think he is bringing on a delighted issue, although I do not agree with the resolution, I think it can wake us up and we better start planning and doing something for the future of this City.

The Chair:

Councilman Onorato.

Mr. Onorato:

I will keep it brief, Mr. President.

I just want to say that Councilman Smith did bring the issues to the forefront, and I think if there is anything that comes out of this resolution being proposed today is that the discussion is on the table and everybody is put on notice of some of the traffic problems throughout the City but particularly in the East End and a major highway that could possibly be coming through the City.

However, I do disagree with the resolution and the image that it sends out, it is non-binding, however, actions that we take in this body here in this Chamber, sends strong signals through the entire region, and I agree with Councilman Cohen that this is a great opportunity for us to show that we are part of the region, not just the largest municipality within the county but a neighborhood to the other municipalities around us and the other counties. So, I look forward to dealing with the City issues in the future, however, I just disagree with this particular process and I will be voting against the resolution.

The Chair:

Thank you very much. Others?

I just want to state very clearly, I think the worse thing we can do right now from a point of view of promoting economic development not only in the City but as our City relates to the economic area outside the City, as well the major transportation issues that we have to deal with, be they issues of bricks and mortar and concrete, vis-a-vis major highways or some of the other transportation issues, such as mass transit, I am not going to support anything that would be characteristic of an ostrich policy, and that is, having our heads in the sand. The only reason why I do not support this resolution at this time is I think it is somewhat misguided.

I think, unfortunately, we are throwing this resolution out, it is either going to pass or fail, it is obvious that it does not have the majority support here, and I think, unfortunately, it is somewhat not focusing where I think we need to have our attention on and that is not just on a non-binding resolution that really has no clout but the process itself. I have to admit, and I think many in this room and many in the public, do not fully understand all of the transportation issues that are now being debated by the SPRPC and other governmental forums.

I think rather than either approve or disapprove of this resolution, which, even in reading it, I do not think it would have any net effect. I think, rather, I think what Councilman Smith has helped us do, as well as some of the advocates I see out in the audience, is say that City government has the responsibility to start leading, and I think, unfortunately, on this issue of transportation, it is not clear that we have done that.

I am the first one to be parochial when it comes to representing my Council district, I always fight for it, I am concerned about any major highway, if it goes through and tears up neighborhoods or loses the tax base or wipes out commercial corridors or ruins our riverfront, as much as any other Council member, but I think we are talking about multi-million, if not several billion dollar expenditures, and I think what we need is to really define first, which I do not think we have done, what is the Pittsburgh agenda, what is our agenda as a City, what is the URA, the Planning Commission, the Mayor and this Council cohesively and collectively decided what is our parochial agenda and have we developed that agenda based on input from grass roots

citizens throughout the City and the business community. I do not think we have really formulated that agenda. We have not really actively been involved in defining or deciding what kinds of expenditures we want under the Federal ISTEA Legislation. This Council has not been actively involved, and I think if we are going to have an articulated voice on the SPRPC, which ultimately will sign off on some of these issues, I think we need to act, not only as a City but I think we need to act as a county. I think whatever our agenda is, my understanding is the Commissioners now have some major reservations about the Southern Beltway.

I think because of the economic issues we really should be working out and hammering out a joint policy with our County Commissioners and the Mayor and City government regarding what our agenda should be for the region. We built a multi-million dollar airport that probably has benefited Beaver County more than it has inner City neighborhoods here in the City of Pittsburgh and I think we have to be honest about that.

So, I applaud Councilman Smith for moving this debate ahead, and I think it would be ashamed if this is just a simple vote "yes, no" on a resolution that does not have a direct legal impact. I think rather we should try to refocus in on the process and start establishing some collaborative effort with the Mayor and the Commissioners on what our City and county policy should be regarding the major expenditure of these federal dollars. So, I hesitate to vote on the resolution because I do not think it is the appropriate action that we should be focusing in on at this time.

Other discussion?

Hearing none, we will now have a roll call vote on the resolution offered by Councilman Smith.

Ayes:

Mr. Smith

AYES 1 NOES 7

VOTING NO:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Ferlo
Mr. O'Connor (Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

The Chair:

The motion is defeated.

Councilman Smith, do you have any other resolutions or proclamations?

Mr. Smith:

No, sir.

The Chair:

Thank you very much.

Under Unfinished Business, are there any reports from standing committees or any matter under Unfinished Business?

Mr. Cohen.

Mr. Cohen:

Mr. President, I would like to talk about TCI but I can save that for Motions and Resolutions, I think that is appropriate.

The Chair:

Whatever is your pleasure.

Just on the Pirate issue, we did receive some financial information which was forwarded to Council yesterday afternoon. We did ask for two other pieces of information, one was -- and this may not be the majority view of this Council and you could please say so, but I would like to suggest that we get a letter, a commitment letter of some sort from the private organization running the Pirates regarding the Mayor's overture, and that was that the eight million would be matched with a much larger sum of money from the private investors.

I do not know if we have any such commitment letter at this time, but personally before I could vote on the issue, I would like to see whether or not they have actually agreed to this deal in the first place. I do not know if we are in receipt of any such letter, but I would like to suggest that we have a commitment letter of some sort.

And, secondly, we did specifically ask, and I asked this personally in meetings and also at this Council table, I do believe that we should formally ask, and I believe it should be the Mayor's responsibility, who is negotiating this matter, to ask the County Commissioners, Commissioner Foerster, in particular, to assist specifically on the eight million dollar issue, not the saving an infrastructure, I am all for that, I applaud that expenditure, as well, if Governor Casey is supportive as he was in Philadelphia. I am talking about the approach to the County, not hat in hand but allowing the County participation in the stadium affairs, albeit on the Authority Board, a seat on the Pirate Organization Board, things of this sort.

I would like to see the County become a full partner in the future, not only immediately on the eight million dollar issue, but into the future on the stadium and what we are doing regarding the debt service, it should not be born solely by City taxpayers. I do not know if that has happened yet, I know there has been discussions around the stadium expenditures but my specific request had to do with the County being supportive right now regarding the eight million dollars.

Any other outstanding matter regarding Unfinished Business?

If not, we will move to the Reports of the Committees.

REPORTS OF COMMITTEES

MR. SMITH PRESENTED

Bill No. 692 Report of Committee on Planning, Housing & Development for June 8, 1994 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 625 A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs in Community Development Neighborhoods, and for the development of floral beds on highly visible, vacant lots in the City, at a cost not to exceed \$50,000.00."

Which was read.

Also,

Bill No. 626 A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for a cooperation agreement and a consultant or consultants for the purpose of providing transportation planning and engineering services to conduct a traffic study of Herr's Island, cost not to exceed \$25,000.00."

Which was read.

Also,

Bill No. 627 A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the construction of Phase II of Station Square Road and providing for the payment of the cost thereof, cost not to exceed \$650,000.00.---(COUNCIL DISTRICT NO. 2)"

Which was read.

Also,

Bill No. 628 A Resolution entitled, "Resolution authorizing a 1994 Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer of funds in the amount of \$71,980.60 from the Authority to the City to Fund Community Development Corporations.---(COUNCIL DISTRICT NOS. 1,3 , 6, 7, 9)"

Which was read.

Also,

Bill No. 629 A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Steven L. Monteverde for the sale of parcel 14A in the Twenty-Fourth Ward of the City of Pittsburgh in Redevelopment Area No. 48, at a cost not to exceed \$20,000.00 (PARKING).---(COUNCIL DISTRICT NO. 1)"

Which was read.

Also,

Bill No. 630 A Resolution entitled, "Resolution further amending Resolution #1455, effective January 1, 1994, entitled "Adopting and Approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program; and approving the 1994 through 1999 Capital Improvement Program, "by creating a New Line Item (Station Square Road)."

Which was read.

Also,

Bill No. 631 A Resolution entitled, "Resolution approving execution of a Contract for Disposition by sale of land by and between the Urban Redevelopment Authority of Pittsburgh and Perry Hilltop Association for Successful Enterprises, Inc., for the sale of Block 23-H Lot 229 in the 25th Ward of the City of Pittsburgh. The property will be sold for an amount of \$6,000.00 plus costs. (RESIDENTIAL REHABILITATION)---(COUNCIL DISTRICT NO. 6)."

Which was read.

Also,

Bill No. 632 A Resolution entitled, "Resolution approving execution of a Contract for Disposition by sale of land by and between the Urban Redevelopment Authority of Pittsburgh and East Allegheny Community Council, Inc., for the sale of Block 24-J Lot 54 in the 23rd Ward of the City of Pittsburgh. The property will be sold for an amount of \$1,000.00 plus costs. (PARKING)---(COUNCIL DISTRICT NO. 1)."

Which was read.

Also,

Bill No. 634 A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority to acquire all of the City's right, title and interest, if any, to the Publicly-owned property in the 32nd Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot 95-P and Block and Lot 138-B-34, under the Residential Land Reserve Fund.---(COUNCIL DISTRICT NO. 4)."

Which was read.

Also,

Bill No. 635 A Resolution entitled, "Resolution approving execution of a Contract for Disposition by sale of land by and between the Urban Redevelopment Authority of Pittsburgh and Scott A. and Debra Ann Molitaris for the sale of Block and Lots Nos. 95-P-85 and 138-B-34 in the 32nd Ward of the City of Pittsburgh. Total purchase price of \$1,300.00. (RESIDENTIAL PARKING/SIDEYARD)---(COUNCIL DISTRICT NO. 4)."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

Councilman Hertzberg.

Mr. Hertzberg:

Yes, on Nos. 627 and 630, this is regarding the Station Square Phase II Project and the roadway that the City is now proposing to build that runs from West Carson Street to the edge of the Lawrence Paint property, I want to thank Mayor Murphy, Mulugetta Birru at the URA, Tom Cox and Steve Leeper for getting aggressive and getting started on this, it has been needed to get started for a long time, and I would ask that my comments from the Standing Committees Meeting be brought forward, and I hope everyone will vote along with me in favor of those two items.

(REMARKS -- SEE ADDENDUM)

The Chair:

Having already voted on the issue.

Councilman Cohen.

Mr. Cohen:

Mr. President, I agree with Mr. Hertzberg a hundred percent and would like my comments brought forward on the same bills.

(REMARKS -- SEE ADDENDUM)

The Chair:

Other comments?

I would like to thank Councilman Hertzberg for pulling together a response team to get the Administration moving on this issue. Previous Councils have appropriated this money and it was never clear when we were going to see the road, and I want to thank the Councilman for moving this issue ahead.

The bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Smith
Mr. O'Connor	Mr. Ferlo
(Pres't)	

AYES: 8 NOES none

(MR. HERTZBERG ABSTAINING TO BILL NO. 629)

The bills having received the legally required number of votes are passed finally.

MR. COHEN PRESENTED

Bill No. 693 Report of Committee on Public Safety for June 8, 1994 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 594 An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Seven - Business Licensing, Chapter 777 Mechanical Amusement Devices, by amending Section 777.05 License Fees, by increasing the annual license for Electromechanical Gambling Devices from \$185.00 to \$500.00."--(AS AMENDED)

Which was read.

Also,

Bill No. 592 A Resolution entitled, "Resolution providing for an Agreement or Agreements with a psychologist or psychologists for professional psychological services for 1994 at a cost not to exceed \$60,000.00, and providing for the payment of the cost thereof."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

Councilman Cusick.

Mr. Cusick:

On Bill 594, I would like it to be recommitted for additional information.

MR. SMITH seconded the motion.

The Chair:

There is a motion to recommit, it has been seconded. All in favor? The bill is recommitted.

WHICH MOTION PREVAILED.

The Chair:

Other discussion? Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Smith
Mr. O'Connor Mr. Ferlo

(Pres't)

AYES 8 NOES none

The bill having received the legally required number of votes passed finally.

MR. CUSICK PRESENTED

Bill No. 694 Report of the Committee on Engineering & Construction for June 8, 1994 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 651 A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts for Construction of a Pedestrian Walkway from Three Rivers Stadium to Point State Park, and for Construction Inspection Services for said project; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof. (Funds for this project (\$2,500,000.00) to (\$3,500,000.00) are available in #S Code Account EC94-451, 3-13-01-4173-94, Index Code 871137. This Resolution also provides for the partial front funding of this project)."

Which was read.

Also,

Bill No. 655 A Resolution entitled, "Resolution further amending Resolution #1455, effective January 1, 1994, as amended, entitled "Adopting and Approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program; and approving the 1994 through 1999 Capital Improvement Program; and approving the 1994 through 1999 Capital Improvement Program, "by transferring a line item (451 Stadium Ramp Improvements) from the Department of City

Planning to the Department of Engineering and Construction, and by providing 1994 funding for said project."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

Councilman Onorato.

Mr. Onorato:

Mr. President, I forgot, the previous set of bills, if I could just have my comments brought forward on Bill 592.

(REMARKS -- SEE ADDENDUM)

The Chair:

So ordered.

Other comments or discussion?

Councilman Cohen.

Mr. Cohen:

Mr. President, I would like my comments brought forward on Bill 651, regarding the pedestrian walkway, please.

(REMARKS -- SEE ADDENDUM)

The Chair:

Very good.

Hearing no other discussion, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi

Mr. Hertzberg Mr. Smith
Mr. O'Connor Mr. Ferlo
 (Pres't)

AYES 8 NOES none

The bills having received the legally required number of votes are passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

Under Motions and Resolutions, Councilman Cohen, would you update us on cable.

Mr. Cohen:

Thank you, Mr. President.

Mr. President, members of Council, yesterday afternoon we received the announcement from TCI regarding its new rates, although the letter is dated June the 8th, we did not receive this until yesterday afternoon, and I am pleased that for the first time in TCI's history the company has lowered the price for both of its rate tiers, the basic tier and the expanded basic tier. The basic tier is down about 6.2 percent, as I calculate it, the expanded basic is down approximately 2.7 percent, and the total for people who have both tiers would be down about 4.25 percent. As far as I know this has never happened before in the City of Pittsburgh, and I think that it is a direct result of rate regulation by this Council and by the Federal Government.

It has been a tough fight against TCI but I think it is beginning to work. Since 1986 TCI has raised its rates more than 100 percent for both tiers, that's an outrageous increase and far in excess of the inflation rate, and I think because of our aggressiveness in becoming certified by the Federal Government and moving to regulate TCI, the rates are not only not going up but they are actually coming down.

That having been said, I think we have to keep the heat on TCI. We need to analyze these rates against the bench marks that have been set up by the Federal Communications Commission to see whether the rates have been reduced as much as required by law.

I spoke with our consultant, you may have also, Mr. President, David Wormser, yesterday, about his initial reaction to these rates. I think we have a lot of work to do to see whether they comply with the bench marks. Mr. Wormser will be here tomorrow to discuss the other issue, and that is the merger between TCI and Liberty Media.

But, as far as rates are concerned, I look forward to getting together with you, Mr. President, hopefully today, to schedule an evidentiary hearing with TCI present at that hearing to answer questions. Now, of course, that does not include just rates, it also includes many service issues, and as I read TCI's correspondence here, they have raised prices for installation and also for having an additional outlet put in your home, and that is unacceptable as far as I am concerned, and I think we need to get into that issue.

The FCC in its announcement about its new regulations several months ago, said they expected the rates to drop seven percent, and these rates, although they have dropped, have not dropped seven percent, as I read them initially, and I hope that we can get the rates down even more than what TCI has announced, even after that point I think we have to be vigilant to make sure that TCI's rates continue to come down, until, frankly, there's meaningful competition in the industry. That looks like that will be coming with Bell Atlantic getting into the cable business, that means there will be true competition which hopefully will reduce rates under market conditions, but I do not think that is going to happen for several years.

So, I look forward to scheduling an evidentiary hearing and keeping the heat on TCI to try to bring these rates even lower and to be on top of them with respect to service issues.

The second issue, which, Mr. President, you have done a lot of work on, is the merger between TCI and Liberty Media, because it involves a transfer of more than three percent ownership of TCI, we, the City of Pittsburgh, have to approve that merger, or we'll be asked to approve it. That will be coming up tomorrow. That will be coming up tomorrow in our committee discussion. We have received voluminous documents about it. Mr. Wormser, the City's cable consultants, will be here, as will Shawn McGorry, who is the General

Manager of TCI, as will Deborah Miskovich, the Director of General Services, and Mr. Ashley Schannauer, the lawyer in the Law Department who has been working on this issue. So, I look forward to a fruitful discussion on that issue tomorrow.

The Chair:

Thank you, Councilman Cohen. We will schedule the hearing. In relation to the folks tomorrow that we have asked to come in, I would have to ask cooperation, permission from Chairman Onorato of Finance, the plane flight was such, in order to save money and not have this gentleman be here last night, it would be nice if we could hold the bill to the last bill on the agenda, rather than spend the extra money to bring him in here the night before. Councilman Onorato?

Mr. Onorato:

Well, on the spirit of fiscal cooperation, I have no problem with doing that, Mr. President.

On a different matter, I just want to put them on notice. Last weekend, or two weekends ago, Alcosan set out an odor across the North Side that was unbelievable, it was one of the worse I can remember, and it reached further into other neighborhoods outside of Brighton Heights. I do not know what the problem was down there, but it appears that in the last two weeks there has been an unusually high number of incidents where the smell has been out of control.

I would just like to send a notice from this body at the request of Councilman Onorato, and then with the support of my colleagues here, to ask the Executive Director to explain what happened the last two weeks and what are the plans to resolve the problem.

It is the beginning of summer, but I think it is important that we get this on the record, so if I have to pull it up in a few months and this continues, I want to keep track of it.

So, I would like to make a motion that we send a letter to the Executive Director to explain what happened in the last two weeks over at Alcosan, that the smell continued for about a day and a half, and how they are going to solve it, and if it was

a one-time incident, I would like to have the explanation in writing to this body.

The Chair:

Motion to communicate to the Alcosan Executive Director for the purpose as so stated. Is there a second?

MR. SMITH seconded the motion.

The Chair:

All in favor? Motion carries.

WHICH MOTION PREVAILED.

The Chair:

Other discussion?

Just very briefly, I would like to ask for a report from the Finance Director regarding why so many PGH-40 tax returns are going to be late. I have been trying for several months to get somebody paid who filed, they are owed several hundred dollars, they filed very early in the year, my understanding is we may end up paying interest rates and interest fees on thousands of the PGH-40 returns. This is where individuals are owed, some as little as 5, 10, 20 bucks, some are owed 2, 3, \$400.00, and unfortunately, I do not know what the problem is, but there very well may be a situation where a large number of these tax returns are going to be late. I think June 30th is the deadline.

I would like to ask that the Finance Director communicate to us and give us an update and a listing of how many returns have been completed, why so many are outstanding, how many he anticipates will not meet the June 30th deadline and will require an interest payment to be paid and why we cannot get a quicker system of returning individual tax returns. I filed my taxes on April 15th with the Feds, I got my check I think five weeks later.

I have individuals from my Council district who are complaining to me that have waited for three months, and I do not understand what the problem is.

Any other discussion? Councilman Smith.

Mr. Smith:

Yes, I would just like to apprise my fellow colleagues that we did some billboard legislation that limited the size of billboards in the Manchester community, one billboard snuck through, it is 40 by 40, in the community, I have written letters, asking from both Mr. Brown and Mr. Cimino if there are any other billboards that are on deck that are of this size. I think that it is just very important that I apprise you that this slipped through after we had changed the legislation mandating a size limit. And, if you get an opportunity, it would be greatly appreciated if you would take a quick run across the river and take a look at what I think is probably a very unsightly billboard in a community. I do not know what we can do because of the process was in place, but I just want you to be aware that we now have a new 40 by 40 billboard sign in the City of Pittsburgh.

The Chair:

Any other discussion?

We need a motion to approve the minutes before we dispense.

Mr. Smith:

So moved.

MR. ONORATO seconded the motion.

The Chair:

All in favor to approve the minutes?

WHICH MOTION PREVAILED.

The Chair:

And, at this time I will entertain a motion to adjourn.

And on the motion of MR. ONORATO

Council adjourned.

(MESSRS. HERTZBERG & COHEN'S COMMENTS ON BILLS NO. 627 & 630)
(Wednesday, June 8, 1994)

Mr. Hertzberg:

Thank you, Mr. Chairman. This is a project that I am extremely familiar with. We have held at least three meetings, possibly four meetings, on this topic and it is a very worthwhile project. I hope all of City Council will support it. It is something that we can't get done fast enough.

With this particular project, we will be putting in a road that will run from West Carson Street to the rear of the Lawrence Paint Building. With the completion of this road, there is a commitment to then start, finally, the renovation of the Lawrence Paint Building, possibly the biggest eye sore in the entire area, but nonetheless, a beautiful building once it is rehabilitated. There is a \$1 million grant in place to rehabilitate the exterior of that building, and that will commence as soon as we finish this road, and then the total renovation of the interior into condominium residences will then start after that. Then once that all falls into place or at least our segment here of the road, we are very optimistic that the balance of this road running from the Lawrence Paint Building to the Sheraton Hotel will be constructed, and with that, we are looking at large scale development -- possibly two hotels, three office buildings, entertainment complex, festival center, arena -- with projections of up to 5,100 construction jobs, 2,500 permanent jobs and a tax revenue of up to \$7 million a year.

So this is the beginning and I hope everyone supports it. In fact, there is already some work going on that we committed to I guess last year, which is the intersection itself of West Carson and this new road. The construction is ongoing today; if you drive by, you will see the orange cones there.

So I feel comfortable voting on this right now as soon as we can. If anyone has any questions, I am pretty confident I can answer them.

(Deleted text.)

Mr. Hertzberg:

One item I neglected to mention regarding the Lawrence Paint Building and some of the plans for that, the developer is the Sanbrano Corporation, 100 percent union construction, but not only that, the financing is 100 percent union; I believe it is the AFL/CIO pension fund development money that is being used both to do the interior renovations and it will also be available for purchasers of individual units. Big union job.

Mr. Cohen:

Thank you, Mr. Chairman. I also want to commend Councilman Hertzberg and the URA for this bill, which I support 100 percent. I think that, as Councilman Ricciardi said, Station Square already has a track record, so there really isn't really much risk involved here with these moneys. So to extend the incredibly successful Station Square project down to the Lawrence Paint Building I think will be fantastic.

A couple years ago this Council put in money for design for the read, but this is the much-needed shot in the arm to actually make it happen. I think that Councilman Hertzberg's announcement today about the Lawrence Paint Building and how it is going to be residential condominiums and how it is funded through union funding is just terrific. That is a wonderful place for residential housing. It is going to have one of the best views, there are so many great views in our city, but that will have a great view. And I hope that just a couple years down the road we will see residential condominiums there, plus commercial enterprises leading up to it. I think it will be fantastic.

(END OF REMARKS.)

(Transcribed by: Helen L. Kriebel, Stenotype Reporter)

•

(MR. COHEN'S COMMENTS ON BILL NO. 651 - Wednesday, 6/8/94)

Mr. Cohen:

I want to take a moment to congratulate the department and Mr. Fred Reginella, the Director, for moving forward on this project. I was fortunate enough to be able to vote for the Phase I walkway on the Stadium Authority as well as on City Council, but it was clear that that didn't take full advantage of what was really necessary there. And what you are moving ahead on is going to take full advantage of that.

I think it is going to be a terrific improvement for all fans of the Pirates and the Steelers to be able to use that walkway, and I am just glad that we are getting reimbursed for a large portion of it. I just want to see it move ahead as quickly as possible. Congratulations.

(END OF REMARKS.)

(Transcribed by: Helen L. Kriebel, Stenotype Reporter)